

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16051 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- KACCHWA District- Rohtas

1. Munna Kumar @ Munna Singh Son of Late Ram Deyal Mahto, R/o Village -Niranjanpur PS -Kachhwan District- Rohtas
2. Lal Babu Singh @ Athhimi son of Late Ram Deyal Mahto, R/o Village -Niranjanpur PS -Kachhwan District- Rohtas
3. Ajay singh son of Late Ram Deyal Mahto, R/o Village -Niranjanpur PS -Kachhwan District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv.
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kachhwan P.S. Case No. 193 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109 and 3(5) of the B.N.S., 2023.

3. Based upon the written report, the prosecution alleges that on the fateful day, all the accused persons armed with *lathi* and *danda* came at the door of the informant and started abusing and assaulting, due to which the informant sustained serious injuries over his head and hand. It is further



alleged that earlier also on 10.11.2024, co-accused Munna Kumar tried to ravish his daughter and bite her.

4. Learned counsel for the petitioners contended that both the parties are next-door neighbour and, in fact, on account of some trifle, they entered into a free fight resulting into case and counter case being Kacchwan P.S. Case No. 194/2024 lodged by the petitioner no.2 against the informant and his family members. Taking this Court through the FIR, it is contended that omnibus allegation has been levelled against all the family members including the petitioners. Moreover, the alleged occurrence took place in the morning of 02.12.2024 at about 08:00 AM, but the present FIR came to be lodged on 03.12.2024 at 09:00 PM. The injury report also suggests that save and except the injury which is sustained over the hand of the informant, others are found to be simple in nature. The injury which is said to have been grievous in nature, is admittedly on non-vital part. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State vehemently opposed the bail application and submitted that the FIR suggests that the petitioners are habituated in doing such



kind of crime and the informant has sustained a grievous injury.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the factum of case and counter case, coupled with the fair antecedent as also the injury report, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Bikramganj, Rohtas in connection with Kachhwan P.S. Case No. 193 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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