

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17990 of 2025

Arising Out of PS. Case No.-632 Year-2024 Thana- BARHARIA District- Siwan

Vijay Bhagat Son of Late Triveni Bhagat R/o Village - Sundari, P.S.-
Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Barharia P.S.

Case No. 632 of 2024 registered for the offences punishable

under Sections 126(2), 115(2), 118(1), 117(2), 303(2),

109, 352, 351(2) and 3(5) of the BNS.

3. The allegation against the petitioner is to

assault informant and others by using *lathi*, rod, sword etc.

causing head and bodily injuries, where alleged assault is

caused with an intention to cause death of informant/injured,



where occurrence took place in the background of land dispute.

4. Learned counsel appearing on behalf of the petitioner submitted that occurrence appears free fight in nature, where both parties received injuries and, therefore, it can be safely said that petitioner was not under intention to cause death of the injured namely Ramadhar Bhagat. It is pointed out that nature of injury upon medical examination found simple in nature and non-repeated and, moreover, same appears lacerated caused by hard and blunt substance negating entire allegation false on its face as informant was alleged to be assaulted by this petitioner by using sword. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as alleged occurrence prima-facie appears free fight in nature and upon medical examination nature of injury appears simple and non-repeated, accordingly



the petitioner above named, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Siwan/concerned Trial Court where the case is pending in connection with Barharia P.S. Case No. 632 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

