

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20981 of 2025**

Arising Out of PS. Case No.-91 Year-2024 Thana- HATHAURI District- Muzaffarpur

Nathuni Rai S/o Narayan Rai R/o Bishambharpatti, P.S.- Hathauri, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      23-04-2025                      Heard Learned Counsel for the petitioner and Learned  
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Hathauri P.S. Case No. 91 of 2024, lodged on 02.06.2024, under Sections 341/504/506/ 324 /325 /307 /326 /34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner against whom allegation that he has assaulted the informant by *Dab* repeatedly, due to which injury has been caused at two places. Subsequently, after interference of the local persons the



informant went for treatment and FIR has been lodged at the S.K.M.C.H. itself.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has committed no offence. Learned Counsel for the petitioner submits that the petitioner and accused are agnates and from the FIR it becomes clear that the dispute has arisen due to keeping buffalo on the public way. Counsel submits that for the same date and place of occurrence two criminal cases have been lodged, one case has been lodged from the petitioner side and another from the informant side. Counsel submits that both the cases have been lodged after delay. He further submits that the antecedent of the petitioner is clean. Counsel submits that petitioner is not criminal and from the injury which is Annexure-3 it transpires that only one injury is there which falsify the prosecution story.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the injury report it transpires that injury is simple.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail



bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, Court No.X, Muzaffarpur (East), in connection with Hathauri P.S. Case No. 91 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

**(Dr. Anshuman, J)**

Mkr./-

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