

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20163 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- FALKA District- Katihar

Nitish Kr. Yadav @ Nitish Kumar Son of Gopal Yadav Resident of Village-
Rangakol, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Musowir, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Ram Jiban Prasad Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-04-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Falka
P.S. Case No. 193 of 2024 instituted for the offences under
Sections 126(2), 115(2), 74, 109, 303(2), 352, 351(2)(3)/3(5) of
the BNS.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, all the FIR named accused persons
assaulted the informant and his family members. It is
specifically alleged that this petitioner assaulted the wife of the
informant on her head by means of *dabia* as a result of which
she sustained injuries on her head.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case due to previous enmity between the parties. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Charge-sheet has been submitted in this case. Learned counsel further submitted that, as a matter of fact, on the date of occurrence, both the parties assaulted each other and both sides sustained injuries. Learned counsel further submitted that as per the injury report, the injuries are sustained by Gita Devi, i.e. wife of the informant, and the injury no. 1 is grievous in nature whereas injury nos. 2 and 3 are simple in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.11.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Falka P.S. Case No. 193 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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