

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21183 of 2025

Arising Out of PS. Case No.-449 Year-2024 Thana- Arwal District- Arwal

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1. Amit Kumar S/O Suresh Prasad R/O Village- Badrabad, P.S- Arwal, Distt.- Arwal.
 2. Suresh Prasad S/O Late Rangnath Prasad @ Rangnath Sao R/O Village- Badrabad, P.S- Arwal, Distt.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioners are apprehending arrest in connection with Arwal P.S. Case No. 449 of 2024 lodged on 01.12.2024, for the offence punishable under Sections 115(2), 126(2), 109, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two named accused persons (present petitioners). It has been alleged in the FIR that petitioner no.1 has assaulted the informant on his head by iron rod and petitioner no.2 has assaulted the informant by knife repeatedly on his neck and ear



due to which he sustained injury.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the injury report has been annexed from which it transpires that injuries are simple in nature and there is no injury on the head and one injury is on the left side of neck and one injury is on the left side of ear and therefore, allegation of making repeated blow by the accused persons is total false which is supported by the injury report. Counsel submits that upon minute reading of the FIR, it become crystal clear that due to house dispute between the parties, scuffling took place. Counsel submits that there is a delay of 7 days in lodging the FIR which falsify the prosecution case. Counsel further submits that petitioner no.2 has no criminal antecedent, but criminal antecedent of petitioner no.1 is not clean as there is one case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that the injury report does not support the allegation made in the FIR.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Arwal, in connection with Arwal P.S. Case No. 449 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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