

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21545 of 2025

Arising Out of PS. Case No.-529 Year-2024 Thana- NAANPUR District- Sitamarhi

1. Somendra Kamat, Aged About 44 Years, Male, Son of Late Jagdish Kamat
2. Nagendra Kamat, Aged Around 42 Years, Son of Late Jagdish Kamat
3. Birju Kumar, Aged Around 26 Years, Male, Son of Sivchandra Kamat @ Shipchandra Kamat
4. Prahalad Kamat @ Prahalad Kumar, Aged Around 19 Years, Son of Baliram Kamat

All are Resident of Village:- Chakauti, P.S. - Bokhara (Nanpur), District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Ayush Kumar, Advocate
For the Informant	:	Mr. Birendra Kumar, Advocate
For the State	:	Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-08-2025 Heard Mr. Yogesh Chandra Verma, learned senior counsel along with Mr. Ayush Kumar, learned counsel appearing on behalf of the petitioners; Mr. Birendra Kumar, learned counsel for the informant and Mr. Raj Ballabh Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Nanpur P.S. Case No. 529 of 2024, registered for the



offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118, 109, 118(2), 303(2), 325 and 351(2) of the B.N.S.

3. As per the allegation made in the FIR, petitioners along with other accused persons on the occasion of *Durga Puja*, were misbehaving with the female of the village and upon protest of the same by the informant side, they had assaulted the informant side causing injury.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is specific allegation against the petitioners that they had assaulted the informant side but the allegation that the petitioners had misbehaved with female of the village is not supported by any evidence. Injuries sustained by the informant side have been opined by the doctor to be simple in nature and the injury report has been brought on record by way of 'Annexure-P/3' to the bail application. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned counsel appearing on behalf of the informant submitted that there is direct allegation against the petitioners that they had assaulted the informant and other co-villagers causing injury and has vehemently opposed the prayer



for grant of pre-arrest bail to the petitioners.

6. Learned APP for the State also supported the submissions made on behalf of the informant and has vehemently opposed the prayer for grant of pre-arrest bail.

7. Considering the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR and also having perused the injury report, which has been brought on record by way of 'Annexure-P/3', the doctor has opined the injury sustained by the informant side to be simple in nature, which is supported by the injury report mentioned at page nos. 38, 39 and 40 of the case diary. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (P), Sitamarhi/ court concerned, in connection with Nanpur P.S. Case No. 529 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



9. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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