

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28086 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- MAHISHI District- Saharsa

1. Prit Kumar Pintu @ Prit Kumar S/o Ram Chandra Kuwar @ Ram Chandra Kumar Resident of Village- Tarhi Ward No. 7, P.S.- Mahishi (OP Jalai), District- Saharsa
2. Krit Kumar Sittu @ Krit Kumar S/o Ram Chandra Kuwar @ Ram chandra Kumar Resident of Village- Tarhi Ward No. 7, P.S.- Mahishi (OP Jalai), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Kamal Kishore Singh, learned counsel appearing on behalf of the petitioners and Mr. Nagendra Prasad, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Mahishi P.S. Case No. 109 of 2024 registered under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, along with other co-accused, assaulted the informant and his family members. Specific allegation is against petitioner no.1 (Prit Kumar Pintu) that he has assaulted the informant by an axe blow on his head and the informant sustained head



injury.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners have clean antecedent. The specific allegation against the petitioner no.1 (Prit Kumar Pintu) is that he has assaulted the informant by an axe blow on his head and the informant sustained head injury. So far as, petitioner no.2 is concerned the injury caused by him to the daughter- in- law (Madhu Devi) of the informant on her leg, is simple in nature. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the allegation made in the FIR, as well as, the specific allegation made against the petitioner no.1 that he has assaulted the informant by an axe blow on his head and the informant sustained head injury, I am not inclined to enlarge the petitioner no.1 on pre-arrest bail.

7. So far as, petitioner no.2 is concerned, the injury caused by him to the daughter- in- law (Madhu Devi) of the informant on her leg, is simple in nature, I am of the opinion that the petitioner no.2 has, *prima facie*, made out a case to be



released on anticipatory bail.

8. The learned District Court is directed to release the petitioner no.2 on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Saharsa/successor Court in connection with Mahishi P.S. Case No. 109 of 2024 , subject to the condition as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner no.2, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no.2, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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