

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27491 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

Bikram Kumar @ Vikram Ray son of Mithilesh Ray Village- Gopalpur Gopal,
Ps - Bochaha, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in connection with Bochahan (Bochaha) P.S. Case No. 11 of 2025, dated 11.01.2025, lodged under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, an FIR has been lodged against seven named accused persons, including the present petitioner. The specific allegation against the petitioner is that he assaulted the informant with an iron rod on his left leg, resulted into fracture.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner has no criminal antecedents, and there is a case and counter-case relating to the same date and place of occurrence. The petitioner's side lodged Bochaha P.S. Case No. 06 of 2025, dated 04.01.2025, while the informant's side lodged Bochahan (Bochaha) P.S. Case No. 11 of 2025, dated 11.01.2025. There is a delay of seven days in lodging the FIR by the informant's side, for which no plausible explanation has been provided. Counsel further submits that injuries have been sustained on both sides, and neither the petitioner's side nor the informant's side are habitual offenders, rather they are residents of the same village, and the present case has arisen out of a petty dispute. It is also submitted that the injury report is unreliable, as it was obtained from a private hospital rather than a government hospital or a government doctor.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, 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



Trial Court 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 A.C.J.M.- 9, (East), Muzaffarpur, in connection with Bochahan (Bochaha) P.S. Case No. 11 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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