

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29023 of 2025**

Arising Out of PS. Case No.-166 Year-2022 Thana- BARARI District- Katihar

Nitish Kumar S/o- Anandi Mandal R/o- Madhubani, PS - Barari, Distt -
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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

ORAL ORDER

3 07-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barari
(Semapur) P.S. Case No. 166 of 2022 instituted for the offences
under Sections 147, 149, 341, 323, 307, 379, 504 of the Indian
Penal Code.

3. Earlier, vide order dated 23.05.2023 passed in Cr.
Misc. No. 15744 of 2023, the petitioner was granted privilege of
anticipatory bail but he failed to surrender before the learned
court below within the specified time, and as a result, he could
not furnish the bail bonds.

4. Prosecution case, in short, is that, on 11.06.2022
around 10:00 p.m. heated conversations took place between the



informant's nephew and the accused at the place of occurrence and when informant's brother tried to pacify the matter, the accused persons assaulted him. It is further alleged that this petitioner hit informant's brother on his head with iron rod whereas accused Suman Kumari took out Rs. 5,000/- from his pocket.

5. Learned counsel for the petitioner submitted that, earlier, vide order dated 23.05.2023 passed in Cr. Misc. No. 15744 of 2023, the petitioner was granted privilege of anticipatory bail but he failed to surrender before the learned court below within the specified time, and as a result, he could not furnish the bail bonds, and thereafter, the petitioner filed the modification petition for extension of time to surrender before the learned court below but the same was also dismissed. Thereafter, the petitioner surrendered before the learned court below and by way of present application, prays for regular bail. Learned counsel further submitted that petitioner has falsely been implicated in the present case and the allegation levelled against him are general and omnibus allegation in nature. The only specific allegation against the petitioner is that he assaulted to one Mithu Mandal with iron rod on his head and as per the injury report, the same is simple in nature caused by hard and



blunt substance. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.02.2025 and has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

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

8. 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 Barari (Semapur) P.S. Case No. 166 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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