

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31074 of 2025

Arising Out of PS. Case No.-479 Year-2022 Thana- KAUWAKOL District- Nawada

Subodh Kumar S/O Saryug Das, R/O Vill.- Jaila, P.S.- Rupow, Dist- Nawada,
Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kauwakol P.S. Case No. 479 of 2022, dated 28.08.2022 registered for the offences punishable under Section 147, 148, 149, 341, 323, 324, 307, 379 and 325 of the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution case, while the informant along with Mukesh Kumar was returning from Rupow Bazar on motorcycle, they were attacked by the FIR named accused persons at Benipur Basedi. The petitioner assaulted the informant with an axe, co-accused Santosh Kumar with an



intention to kill assaulted on informant's head with an axe and co-accused Sachin Kumar assaulted Mukesh Kumar by means of an axe on his head due to which they sustained injuries. The co-accused Vikash Kumar fired from the pistol and the bullet hit on the informant's leg. It is further alleged that the co-accused Vikash Kumar snatched golden chain of Mukesh Kumar and the co-accused Punam Devi took Rs. 27,000/- from the pocket of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. From perusal of FIR it appears that the alleged occurrence took place on 22.08.2022, but FIR has been lodged on 28.08.2022 after a delay of six days without any explanation for the said delay. As per FIR, the allegation against the petitioner is that he has hit on informant's body by means of axe. The co-accused person against whom there is specific allegation that he with an intention to kill hit on the head of informant by means of an axe has already been granted bail by this Court *vide* order dated 18.03.2025 passed in Cr. Misc. No. 6776 of 2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 02.02.2025.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-II, Nawada, in connection with **Kauwakol P.S. Case No. 479 of 2022.**

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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