

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32183 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- DAGARUA District- Purnia

=====

Aman Kumarn Biswas @ Aman Kumar @ Aman Kumar Biswas son of
Vikaram Bishwas R/o vill - Kocheli, P.S.- Dagarua, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Dagarua P.S. Case No. 301 of 2024 registered for the alleged offences under 126(2), 115(2),118(1), 303(2), 76, 352, 351(2)/3(5) of the B.N.S.

03. As per prosecution case, petitioner and other co-accused persons armed with *lathi*, *danda*, bamboo and iron rod came to the doors of the informant and hurling abuses started assaulting the mother and brother of the informant. When the informant and his father came out, they were also abused and this petitioner assaulted the brother of the informant on his head with a bamboo stick having iron ring causing a serious injury on his head. Other co-accused persons also assaulted the informant and his



father with *lathi* and *danda*.

04. Learned counsel for the petitioner submits that the petitioner is 22 years old who is innocent and has been falsely implicated in this case. There is mostly general and omnibus allegation against all the accused persons and there is only one specific allegation against this petitioner for hitting on the head of the brother of the informant with bamboo stick fortified with iron ring. But perusal of injury report does not corroborate such assault on the brother of the informant. Learned counsel further submits that the present case is counter blast of Dagarua P.S. Case No. 302 of 2024 which was lodged on 28.09.2024 under Section 126(2), 115(2), 303(2), 76, 352, 351(2)/3(5) of the B.N.S. Learned counsel further submits that all the offences are bailable in nature except for the offence under Section 76 of the B.N.S. There is no repetition of blow and there was no intention to kill any person and for this reason no offence under Section 303(2) of the B.N.S is made out against the petitioner. Other allegations are ornamental in nature. The petitioner has one criminal antecedent under Excise Act in which he is on bail.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



simple nature of injury of the victim attributed to this petitioner and also considering the age of the petitioner and possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned C.J.M., Purnea in connection with Dagarua P.S. Case No. 301 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Anuradha/-

U		T	
---	--	---	--

