

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37878 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- KAUWAKOL District- Nawada

Santosh Kumar S/o Late Bhola Prasad @ Bhola Shaw Village- Mannpur Tola,
Ammatari, PS- Kauwakol, Distt.- Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37908 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- KAUWAKOL District- Nawada

Siyaram Kumar @ Siyaram Mistiri Son of Bhikhari Mistiri Resident of
Village- Mannpur , P.S- Kowakol, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 37878 of 2025)
For the Petitioner/s : Mr. Dharamnath Prasad Yadav, Adv.
Mr. Jitendra Kumar, Adv.
Mr. Ranvijay Singh, Adv.
Mr.Indradeo Prasad, Adv.
For the Opposite Party/s : Mr.Tapeshwar Sharma
(In CRIMINAL MISCELLANEOUS No. 37908 of 2025)
For the Petitioner/s : Mr. Dharamnath Prasad Yadav, Adv.
Mr. Jitendra Kumar, Adv.
Mr. Ranvijay Singh, Adv.
Mr.Indradeo Prasad, Adv
For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 19-09-2025 Both the applications arise of the same case i.e.

Kauwakol P.S. Case No. 94 of 2025 and accordingly, the same

are being heard and disposed of by this common order.

2. Heard learned counsel for the petitioners and



learned APP for the State.

3. The petitioners apprehend their arrest in connection with Kauwakol P.S. Case No. 94 of 2025 registered for the offence punishable under Sections-126(2), 115(2), 109, 303(2), 117(3), 118(2), 352, 351(3), 3(5) of Bhartiya Nyay Sanhita, 2023.

4. According to allegation, the FIR named accused persons equipped with Lathi, Khanti, iron rod, knife started opposing the informant after uttering that the informant has won the election of PACCS and he could not be saved. The specific allegation against the petitioner Santosh Kumar is that he assaulted the informant with Khanti on his hand. So far the petitioner Siyaram Kumar @ Siyaram Mistry is concerned, the specific allegation against him is of assaulting Shivam Kumar with knife on his face.

5. Learned counsel for the petitioners has submitted that they are innocent and have falsely been implicated. So far as petitioner Santosh Kumar is concerned, he was opposing the malfunctioning of the informant and in this regard, he has also filed a Writ Petition before this court and that is why, he has falsely been implicated. The informant has suffered simple injuries caused by hard and blunt substances. So far as the



petitioner Siyaram Kumar @ Siyaram Mistry is concerned, according to allegation, he assaulted Shivam Kumar with knife on his face but the injury report of Shivam Kumar shows that those injuries were caused by hard and blunt substances and the same are simple in nature.

6. On the otherhand, learned counsel for the informant has opposed the prayer for anticipatory bail by submitting that the accused persons including the petitioners badly assaulted the members of prosecution side. He submitted further that according to supplementary injury report, Shivam Kumar suffered one injury on his tooth which is said to be grievous to which, the learned counsel for the petitioners has submitted that the injured was not referred for better treatment, as such, there is no explanation as to how supplementary injury report came in the case. Learned counsel has also submitted that there is allegation of inflicting knife blows on the person of Shivam Kumar but the injuries found on the person of injured, were caused by hard and blunt substances which negates the allegation.

7. Considering the aforesaid facts and circumstances, let the petitioners named above, in the event of arrest/surrender within four weeks before the court below be released on bail on



furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Nawada in connection with Kauwakol P.S. Case No. 94 of 2025 subject to the conditions as laid down u/S 438(2) of the Cr.P.C.

(Nawneet Kumar Pandey, J)

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