

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38947 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- ARER District- Madhubani

Lal Bahadur Kamat @ Lal Bahaoh Kamat Son of Late Laxmi Kamat Resident
of Village- Jamuari, P.S -Arer District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.
For the informant : Ms. Madhumita Singh, Adv.
For the State : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH

ORAL ORDER

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

2. The petitioner has preferred this application for
grant of regular bail in connection with Arer P.S. Case No. 122
of 2024 dated 24.09.2024 registered for the offences punishable
u/ss 126(2), 115(2), 118(1), 109, 303(2), 74, 352, 351(2) read
with section 3(5) of the B.N.S.

3. As per the prosecution case, on 15.09.2024 at
about 6.30 A.M., due to previously lodged case by the
informant, the petitioner and the co-accused persons armed with
deadly weapons entered the informant's house and started
abusing. The co-accused, Rahul Kamat assaulted the informant's
son with farsa on his head due to which he sustained head



injury. When the informant came to rescue him, the co-accused, Ganesh Kumar assaulted on her head with iron shocker causing injury to her. When the informant's husband came to rescue her, the petitioner, Lal Bahadur Kamat assaulted him with farsa on his head causing head injury. When the informant's son Rishu Kumar came to rescue, the co-accused Nitish Kumar assaulted him with dabiya on his head causing injury to him. When Dukhran Kamat came to rescue, the co-accused Shila Devi assaulted him with lathi on the left hand causing injury. Thereafter, the accused persons entered her house and damaged the household articles. The co-accused, Varsha Devi took the ornaments and clothes from the box. The injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a land dispute between the parties. The occurrence took place on 15.09.2024 but the F.I.R. was lodged on 22.09.2024 and there is no explanation for this delay. It is further submitted that there is a case and counter case between the parties. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The co-accused person has already been



granted regular bail by this court vide order dated 25.06.2025 passed in Cr. Misc. No. 37931/2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.04.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the specific allegation against the petitioner is that he inflicted *tengari* blow on the head of Dinesh Chaudhary due to which he sustained head injury. As per the injury report of the injured Dinesh Chaudhary, he sustained two sharp cut wounds on the right lateral temporal region of scalp of size 3 cm x 1 cm x 1/2 cm and right lateral forehead of size 1 cm x 1/2 cm x 1/2 cm which according to him was dangerous to life and caused by sharp cut weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Benipatti, Madhubani in connection with Arer P.S. Case No. 122 of 2024 with the condition :-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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