

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43826 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- TRIVENIGANJ District- Supaul

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Nitish Kumar S/O Ashok Mandal R/O Vill.- Gamhirpur, P.s.- Tribeniganj,
Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratibha Srivastava, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard Learned Counsel for the petitioner and

learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Tribeniganj P.S. Case No.236 of 2024 under Sections 341, 323, 504, 307, 379, 354 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against four named accused persons including the petitioner against whom there is allegation of assault by dabia to the informant due to which injury has been caused.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the informant is the own aunt of the petitioner and for the common bamboo, the dispute has arisen between the family. He further submits that it is a family dispute and petitioner is not a criminal.



5. Learned Counsel also submits that antecedent of the petitioner is clean and father of the petitioner has been granted bail by the Co-ordinate Bench of this Court vide order dated 08.01.2025 passed in Cr. Misc. No.86875 of 2024.

6. Learned APP for the State opposes the prayer for bail and submits that in the FIR, there is specific allegation against the petitioner and it has come in the order sheet that police has made several attempt to arrest the petitioner, but he has not been found and absconding from the house.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order, considering the case that the dispute has occurred between the family members, without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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