

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45205 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- DANDKHORA District- Katihar

Mohan Kurail @ Mohan Kumar S/O Khokha Kurail R/O Ward No. 10, P.S-
Dandkhora, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Bhola Prasad, Advocate
For the State	:	Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Dandkhora PS. Case No-40 of 2025, dated-15.04.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 76, 118(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per allegation, on account of some dispute altercation took place between the informant and the accused side leading to injury on both sides. As per the medical report, simple injury has been caused on the person of the prosecution side. Counter case has been also filed by the accused side who are the petitioner herein.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that altercation took place on account of some dispute between the informant and the accused side leading to injury on both sides. As per the medical report, simple injury has been caused on the person of the prosecution side. Counter case bearing Dandkhora P.S. Case No.42 of 2025 has been also filed by the accused side who are the petitioner herein.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Dandkhora PS. Case No-40 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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