

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46884 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- KHUDWA District- Aurangabad

Sumit Rawat @ Sumit Raut @ Sumit Kumar S/o Sunil Rawat R/o Village-
Ram Nagar, P.S.- Khudwan, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Sakshi Deep, Advocate
For the Opposite Party/s	:	Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Krishna Prasad Singh, learned Senior Counsel along with Mr. Sakshi Deep, learned counsel appearing on behalf of the petitioner and Mr. Mukesh Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Khudwan P.S. Case No. 34/2025 registered for the offence(s) punishable under Sections 109(1), 115(2), 117(2), 118(1), 126(2), 190, 191(2), 351(2) and 352 of the BNS.

3. As per the allegation made in the FIR, due to some quarrel between the children of the respective parties, the petitioner along with other co-accused persons assaulted the informant and his uncle.

4. Mr. Krishna Prasad Singh learned Senior Counsel



appearing on behalf of the petitioner submitted that there is case and counter case between the parties arising out of same incidence, in which the petitioner's side also sustained injuries. The injury sustained though is on the vital parts of the body but in absence of any injury report, it cannot be ascertained, as to whether, the injury is grievous or simple in nature, nor the same has been recorded in the impugned order by the learned District Judge. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR, I find that there is case and counter case between the parties and on trivial issue, they entered into fierce fight during which, in self defence, the petitioner, who is having clean antecedent, may have caused some injury on the persons of the informant's and his family member. I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, District, Aurangabad in connection with Khudwan P.S. Case No. 34/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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