

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46853 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- CHAND District- Kaimur (Bhabua)

1. Kishun Bind @ Kisun Bind, age about 70 ys Male, S/O Late Fakir Bind R/O Village- Darunpur, P.S- Chand, Dist.- Kaimur at Bhabua.
2. Rekha Devi @ Rekha Kumar W/O Mohan Bind R/O Village- Darunpur, P.S- Chand, Dist.- Kaimur at Bhabua.
3. Poonam Devi @ Poonam Kumari W/O Shyamlal Bind R/O Village- Darunpur, P.S- Chand, Dist.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Tribhuwan Narayan, learned counsel appearing on behalf of the petitioners and Mr. Shyameshwar Dayal, learned APP for the State.

2. The petitioner no. 1, namely, Kishun Bind, seeks pre-arrest bail in connection with Chand P.S. Case No. 110 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 109 and 3(5) of the B.N.S.

3. As per the allegation made in the FIR, petitioners had assaulted the informant by means of *lathi-danda* causing injury on her head.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner no. 1. Both the parties are agnate and there was dispute between the parties with respect to drainage, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury on the persons of the informant without intention. Though the injury sustained by the informant is on the vital part of the body, however, the CT Scan report reveals that the same is not serious in nature. Petitioners have clean antecedent. On these grounds, petitioner no. 1 seeks to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been made against the petitioner no. 1. Both the parties are agnate and there was dispute between the parties with respect to drainage, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner no. 1 may have caused some injury on the persons of the informant without intention. Petitioner no. 1 has clean



antecedent. I am of the opinion that petitioner no. 1 has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner no. 1, namely, Kishun Bind @ Kisun Bind, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-II, Kaimur at Bhabua/ court concerned, in connection with Chand P.S. Case No. 110 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner no. 1 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no. 1 as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. So far as petitioners no. 2 and 3 are concerned, learned counsel seeks to withdraw the present bail application on behalf of them with liberty to surrender before the learned District Court for seeking regular bail.

10. If the petitioners no. 2 and 3 surrender before the learned District Court and seeks regular bail, the learned District



Court may consider the bail application of the petitioners no. 2 and 3 on the same day and pass necessary order on the basis of material, which has come in course of investigation without delay.

11. The bail application stands disposed of.

(Purnendu Singh, J)

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