

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50510 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- KUTUMBA District- Aurangabad

1. Nagendra Singh S/O Late Ramjanam Singh R/O Village- Khaira Barwadih, P.S- Kutumba, Distt.- Aurangabad (Bihar).
2. Biku Kumar Singh S/O Nagendra Singh R/O Village- Khaira Barwadih, P.S- Kutumba, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Aman Vishal, learned counsel appearing on behalf of the petitioners and Mr. Ram Priya Sharan Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Kutumba P.S. Case No. 76 of 2025 registered under Sections 126(2), 115(2), 109, 303(2), 352, 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the petitioners along with other accused persons entered into the house of the informant and assaulted the informant and his family members and snatched gold earring of his daughter.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. There is an admitted land dispute between the parties. There is case and counter case between the parties and the alleged incident took place on 19.05.2025 and FIR was lodged on 22.05.2025 by the informant and on the same day, the petitioners' side also lodged case bearing Kutumba P.S. Case No.77 of 2025. In self-defense, the petitioners may have caused some injury to the informant and his family members. The petitioners have clean antecedent. On these grounds, the petitioners seek 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 there is case and counter case between the parties and in self-defence, the petitioners may have caused some injury to the informant and his family members and also the fact that the petitioners have clean antecedent, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Aurangabad (Bihar) in connection with Kutumba P.S. Case No. 76 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 petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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