

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59543 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- Gadhiya Bazar District- East Champaran

Aman Kumar S/o Dhruv Narayan Prasad R/o Village- Sirauli, P.S.- Garahiya
Bajar/ Garahiya Bazar, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Garahi Bazar P.S. Case No. 90 of 2025 dated 14.05.2025 registered for the offences punishable u/ss 126(2), 115(2), 118(1), 117, 109, 76, 303(2), 329(3), 352, 351(2), 351(3) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, on 13.05.2025, in the evening, the informant's son was returning to house then the petitioner and the co-accused persons were digging soil near the informant's house. On being objected by the informant's son, they started to assault and abused him and when the matter was intervened by the villagers then his life was saved and they threatened to kill Himansu Kumar and to face the dire consequences. It is stated that they are the litigants and are of criminal nature due to which the informant and her family members are in fear and they with the



common intention called the antisocial element namely, Saheb Kumar @ Vikram Kumar and Vikash Kumar and on 14.05.2025, all the accused persons armed with deadly weapons like garasa and rod came at the door of the informant and started abusing the informant. It is further alleged that the petitioner assaulted the informant's husband with an iron rod causing serious head injury and the other accused persons also assaulted him. When the informant came to save her husband, the accused persons assaulted her with fist and outraged her modesty. When the informant's son Arvind Kumar and Himanshu Kumar along with the daughter-in-law came to save her, the co-accused Dhruvnarayan Prasad outraged her modesty. The co-accused, Akash Kumar assaulted the informant's son, Himanshu Kumar with kharia causing fracture on his left hand. It is further alleged that one Kusum Devi snatched a golden chain from the neck of Preeti Kumari worth Rs. 89,000/-.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. It is further submitted that the husband of the informant and the father of the petitioner are full brother having some dispute over share in land. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that there was free fight between the parties in which both sides sustained injuries. As per the injury report (Annexure-P/2) of Nageshwar Prasad, he



sustained multiple injuries out of which three injuries are stated to be grievous in nature whereas one injury is simple in nature. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Garahi Bazar P.S. Case No. 90 of 2025 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

