

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61117 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- NARHATT District- Nawada

1. Navin Kumar Son of Late Ram Nandan Singh R/O - Narayanpur, P.S - Narhat, District - Nawada
2. Raushan Kumar Son of Kaushalendra Singh @ Kaushlendra Kumar @ Kushal Kishor Singh @ Kaushal Kishore R/O - Narayanpur, P.S - Narhat, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 31-01-2025 Heard Mr. Arun Kumar, learned Advocate for the petitioners and Mr. Satyendra Narain Singh, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Narhat P.S. Case No. 127 of 2024, registered for the offences punishable under Sections 147, 148, 149, 323, 307, 452, 354, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Based upon the written report, the prosecution alleges that while the informant along with other family members were sitting in their house, in the meantime, all the FIR named accused persons, including the petitioners, armed



with deadly weapons came there and started abusing and assaulting. It is specifically alleged that on the exhortation made by co-accused Lalan Kumar Madhukar, the petitioner no. 1 assaulted one Ranjit Kumar over his head by means of sharp weapon; whereas the petitioner no. 2 assaulted the informant by means of iron rod over his head. There is further allegation of assault to the other persons against other co-accused persons.

4. Learned Advocate for the petitioners contended that so far the allegation of causing injuries to one Ranjit Kumar and the informant are concerned, the same belies from the injury report, in as much as, both of them have sustained one and two injuries, respectively but the same are found to be simple in nature caused by hard and blunt substance; although there is allegation against petitioner no. 1 of causing injury by sharp cutting weapon. It is further contended that co-accused person, against whom there is serious allegation of exhortation and firing, Lalan Kumar Madhukar @ Lallan Kumar Madhukar, he has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 62882 of 2024 vide order dated 18.12.2024. The co-accused Ankit Kumar against whom there was also omnibus nature of allegation of causing assault, he has also been allowed the privilege of anticipatory bail by this Court in Cr.



Misc. No. 64964 of 2024 vide order dated 13.09.2024. There is long standing enmity between the parties and on such premise, the present FIR has been instituted; moreover both the petitioners undertake that they will fully cooperate in the proceeding of the court and they will not indulge in such activity in future.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the injuries received over vital portion of the body of the informant and one Ranjit Kumar, clearly suggest the intention of the petitioners; moreover the FIR discloses the active participation of the petitioners in the crime, causing serious injuries to the inured.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of injuries, coupled with the fact that other co-accused persons having more or less identical allegation have been allowed the privilege of anticipatory bail and the petitioners bear fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand)



each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Nawadah in connection with Narhat P.S. Case No. 127 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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