

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57348 of 2025

Arising Out of PS. Case No.-419 Year-2023 Thana- KARJA District- Muzaffarpur

Hemant Kumar, S/o- Madhwendra Singh @ Muntun Sharma, Village-
Bhatauna, P.S.- Karja, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Karja P.S. Case No. 419 of 2023 registered for the offences punishable under Sections 323, 341, 384, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner along with others is of demanding extortion of rupees two lakh and further assaulting the informant and his son by means of Butt of the pistol. It is also alleged that this petitioner fired upon the informant, but he any how saved himself.

4. Learned Advocate for the petitioner submitted that in fact both the parties are co-villagers and next door neighbour, however, on account of trifle, they entered into a free fight,



leading to injuries to the persons of both sides and institution of the case and counter case, being Kajra P.S. Case No. 420 of 2023, instituted by the mother of the petitioner. It is further contended that admittedly no fire-arm injury has been sustained to the informant and any one, however, only on account of the fact one empty cartridge has been produced before the police, the same has been made the reason to refuse the prayer for bail of the petitioner. The petitioner bears fair antecedent and in fact no such incidence has taken place. Subsequently, with the intervention of the well wishers, now both the parties have settled the issue and taken a decision not to proceed with the criminal cases pending against each other.

5. On the other hand, learned APP for the State opposes the bail application and submits that serious allegation has been levelled against the petitioner of resorting firing upon the informant.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the fact that none has sustained any injury, as also the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of



receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class (West), Muzaffarpur in connection with Karja P.S. Case No. 419 of 2023, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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