

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61266 of 2025**

Arising Out of PS. Case No.-25 Year-2024 Thana- LUTUA District- Gaya

Jitendra Kumar Son of Mahendra Bhuiyan Resident Of Village- Lutua, Tola- Narayandih, Ps- Lutua, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Lutua P.S. Case No. 25 of 2024 instituted for the offence under Sections 126(2), 127(2), 115, 109, 74, 76, 303(2), 352, 351(3) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant and others were assaulted by the co-accused persons including the petitioner by means of iron rod.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24-04-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.



5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. There is a land dispute between the parties which is evident from the F.I.R. itself. There is a case and counter case between the parties. He further submits that the present case has been lodged by the informant only to save his skin from the F.I.R. of Gaya SC/ST P.S. Case No. 51 of 2024 which was lodged by Krishna Bhuiyan. No incriminating article has been recovered from the possession of the petitioner. So far as injury is concerned, altogether four persons sustained injury, out of which injury of two persons is found to be simple in nature, whereas opinion is reserved for the rest of two persons. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Learned counsel next submit that so far as allegation of outraging the modesty is concerned, the same is ornamental in nature. It is lastly submitted that charge sheet has been submitted in this case. He further submits that the co-accused have been granted bail by this Court vide order dated 18.02.2025 passed in Cr. Misc. No. 8291 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, injury being found simple in nature and charge-sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lutua P.S. Case No. 25 of 2024.

(Rudra Prakash Mishra, J)

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