

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60923 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Naveen Kumar @ Navin Kumar @ Navneet Kumar Sah S/O Hare Ram Singh
R/O Vill.- Chakla, P.S.- Mohiuddin Nagar, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 10-09-2025 As prayed for, learned counsel for the petitioner is permitted to make necessary correction in the name of the petitioner during course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. Petitioner is apprehending arrest in connection with Mohiuddin Nagar P.S. Case No. 68 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 303(2), 351(2), 351(3), 352, 3(5) of the B.N.A.

4. As per prosecution case, accused Navneet Kumar Sah (petitioner), with intention to kill, assaulted on the head of the informant by the butt of pistol, as a result of which informant sustained injury. It is further alleged that co-accused Vivek Kumar pointed pistol on the head of the informant and threatened to kill. It is further alleged that petitioner Navin



Kumar and co-accused Avinash Kumar assaulted on both legs of the informant by means of iron rod, as a result of which informant sustained injury on his legs. It is further alleged that when uncle of the informant came to pacify the matter, all the accused persons brutally assaulted him by means of iron rod, as a result of which he sustained injury on his left hand.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. Learned counsel orally submits that though there is allegation that petitioner assaulted on the head of the informant by means of butt of the pistol but the said injury is simple in nature caused by hard and blunt substance. It is submitted that one of the allegation is that petitioner is said to have assaulted on the legs of the informant, however the said injury is not on the vital part of the body. In the light of the aforesaid, no offence is made out against the petitioner. Petitioner bears no criminal antecedent. Learned counsel submits that prudently and pragmatically it is unfathomable that a person, who is having pistol in his hand, will use the said pistol for assaulting purpose.

6. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that



there is specific allegation against the petitioner that he assaulted on the head of the informant by means of butt of the pistol and he also assaulted upon the legs of the informant by means of iron rod and petitioner cannot escape from the liability of the allegations levelled in the first information report.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 68 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S. .

8. The application stands allowed.

(Alok Kumar Pandey, J)

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