

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59059 of 2025

Arising Out of PS. Case No.-403 Year-2023 Thana- KARJA District- Muzaffarpur

Nilesh Kumar Son of Rambhu Patel @ Rambhu Ray, Resident of Village -
Nargi Jibnath, P.O. and P.S.- Karja, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the State : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Karja P.S. Case No. 403 of 2023, dated
-22.11.2023 registered for the offences punishable under
Sections 341, 323, 307 and 379/34 of the Indian Penal Code.

3. As per allegation, the younger brother of the
informant was caught hold of by co-accused Santosh Kumar and
he was dragged by putting rope around his neck. As per further
case of the informant, other co-accused persons and the
petitioner also assaulted him by iron rod.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that petitioner has nothing to do with



the alleged offence and he has been falsely implicated in this case on account of previous enmity. Even as per the best case of the petitioner that it is a case of simple hurt and no case is made out of attempt to murder.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Karja P.S. Case No. 403 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023, and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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