

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62215 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- NAUHATTA District- Rohtas

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Pritam Kumar @ Pritam Gupta, aged about 24 years, Male, Son of Sanjay Sah, Resident of Village- Nauhatta, P.S.- Nauhatta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Nauhatta P.S. Case No. 148 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 352 and 3(5) of the BNS.

3. As per the prosecution case, all the accused persons including the petitioner came in the house of the informant and assaulted by means of iron rod on the head causing head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that there is case and counter case attributed between the parties. He further submits that by way of counter blast, the informant has filed this case against the petitioner and others. He next submits that the



altercation took place because there was love affairs between the daughter of the informant and the petitioner. Petitioner has got one criminal antecedent is in custody since 15.06.2025.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that the fact of the matter is the petitioner is pressurizing the daughter of the informant for indecent proposal, so he does not deserve bail.

6. From perusal of the FIR, Injury report and impugned order of the learned District and Additional Sessions Judge-XIX, Rohtas at Sasaram dated 31.07.2025, It appears that on the basis of written report of the informant namely Vinay Kumar Soni, FIR has been lodged under Sections 126(2), 115(2), 109(1), 303(2), 352 and 3(5) of the BNS against four named and two unknown accused persons including the present petitioner. The allegation against the petitioner is that he assaulted by *iron rod* upon the head of the informant causing head injury. From perusal of the injury report, which has been produced by learned counsel for the petitioner, it also appears that two injuries are found i.e., pain in neck and abrasion on the neck. Lacerated wound 2"X 1" X 182 on head C.T. scan advised, abrasion on neck 2"X1" and abrasion on left leg 2"X1" nature of injuries are simple in nature caused by hard and blunt



substance. It also appears that petitioner has one criminal antecedent which is also relating to molesty filed by the daughter of the informant. There is no any repeated blow by the petitioner upon the informant, so considering all these aspects of the case and submission of leaned counsel for the parties, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Class Dehri-on-sone, Rohtas at Sasaram in connection with Nauhatta P.S. Case No. 148 of 2025, subject to the condition that if the petitioner would be found in the same nature of offence in future, the prosecution will be at liberty to proceed for cancellation of bail of the petitioner as it will be treated as misuse of bail.

(Ramesh Chand Malviya, J)

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