

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61528 of 2025

Arising Out of PS. Case No.-346 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Rohit Kumar S/O Rajkumar Prasad R/O Mohalla- Bhawanipur Zirat, P.S.- Chhatauni, Dist.- East Champaran
2. Rahul Kumar @ Himanshu Kumar S/o Rajkumar Prasad R/O Mohalla- Bhawanipur Zirat, P.S.- Chhatauni, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Murari Narain Chaudhary, Advocate.
For the Opposite Party/s	:	Mr.Damodar Prasad Tiwary, APP.
For the Informant	:	Mr. Pramod Rajpati, Advocate.
		Ms. Sama Akhtar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-09-2025 Heard learned counsel appearing on behalf of the petitioners; learned APP for the State and learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Majhaulia P.S. Case No. 346 of 2025 registered for the offence punishable under Sections 109(1), 115(2), 126(2), 303(2), 352, 351(3) and 3(5) of the BNS, 2023.

3. Allegation is of assaulting the informant by means of knife.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case due to previous enmity.



There is case and counter case between the parties.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioner no.1, the petitioner no.1 Rohit Kumar, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Majhauria P.S. Case No. 346 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. So far as petitioner no.2 Rahul Kumar is concerned, two criminal cases are pending against him, in which, similar allegation has been alleged, however, in the present case, learned District Court has rejected the prayer for bail of petitioner no.2 Rahul Kumar on the ground that he had stabbed in the abdomen and the nature of injury is reserved.

8. In such circumstance, I find it proper to direct the learned District Court to call for the final injury report and in case, the injury sustained by the informant is found to be simple



in nature, petitioner no.2 Rahul Kumar is also directed to be released on bail. However, if the injury is found to be grievous in nature, he don't deserve to be released on bail.

9. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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