

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65822 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Bharatkhand District- Khagaria

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Himanshu Kumar S/O Yogendra Choudhry @ Joko Choudhary Resident of
Village- Mathurapur Khajraitha, P.S- Parbatta (Bharatkhand), District-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bharatkhand P.S. Case No. 21 of 2024 instituted for the offence
under Sections 147, 148, 149, 341, 323, 324, 307, 379, 447, 504
& 506 of the Indian Penal Code.

3. On 12.05.2024 at about 1:30 p.m., the informant
and his parents were attacked at home by accused persons. It is
alleged that petitioner assaulted the informant's father with a
khanti causing head fracture, while others caused injuries,
looted ornaments and Rs. 6,500/- and threatened villagers at
gunpoint.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 24-06-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of one day in lodging the FIR. There is case and counter case between the parties. Learned counsel submits that parties are agnates and there is subsisting land dispute between them. There is no independent witness to the occurrence. Nothing has been recovered from the conscious possession of the petitioner. Other co-accused has been granted bail by this Court vide order dated 22-05-2025, passed in Cr. Misc. No. 32999 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 and there being case and counter case between the parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Bharatkhand P.S. Case No. 21 of 2024,
subject to the following conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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