

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65757 of 2025

Arising Out of PS. Case No.-267 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Ajit Kumar Rai, aged about 40 years, Male, S/o Late Upendra Rai Resident
of Village- Mairwa Karn, PS- Kuchaikote, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aadesh Raj Singh, Advocate

For the Opposite Party/s : Mr.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kuchaikote P.S. Case No. 267 of 2025 dated 27-06-2025,
instituted under Sections 126(2),115(2),118(1),118(2),109(1),74,
351(2), 352 and 3(5) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that on 25.06.2025
at about 1:30 PM, the petitioner along with co-accused Sarita
Devi, who are neighbours of the informant, was filling soil on
the informant's land with a tractor. When the informant resisted,
Sarita Devi ordered to kill her and the petitioner assaulted her
head with an iron rod with the intention to kill her, due to which
blood started oozing out and she fell down on the ground. It is
further alleged that when Chinta Devi tried to intervene, the



petitioner again tried to assault on the head of the informant, but Chinta Devi stopped it with her hand and the iron rod hit her hand, on account of which, her hand got fractured. The petitioner is also alleged to have assaulted and caused injuries to Khushi Kumari, Palak Kumari, Chandan Pandey and Nisha Kumari, the informant's niece. The injured were taken by villagers to the Primary Health Centre, Kuchaikote, but due to their critical condition, the doctors referred them to Sadar Hospital, Gopalganj, for further treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner and the informant are neighbours. Further submission is that the FIR has been lodged after two days of the alleged occurrence without any plausible explanation. There is a case and counter case between the parties, the counter case being Complaint Case No. 1216 of 2025 filed by the petitioner against the informant and his family members. There is land dispute between the parties due to which this false case has been lodged against the petitioner. So far as the allegation of assault is concerned, all the injuries of the injured persons are found to be simple in nature. Lastly, it is submitted that the petitioner has no criminal



antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Gopalganj, in Kuchaikote P.S. Case No. 267 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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