

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66703 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- Kumarbagh District- West Champaran

Nand Kishor Kuwar @ Nand Kishor Kumar, Male, aged about 52 years, S/o Phulena Kunwar R/o Village - Ugrasen Tola, Ward No. - 03, P.S- Kumarbagh, District - West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
		Mr. Mukul Kumar, Advocate
		Mr. Mili Kumari, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner, learned APP
Mr. Rabindra Kumar for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is person of clean antecedent and the informant alleges that on 12.05.2024 at 07:30 am he heard *hulla* outside his house, accordingly he came out of the house and saw that the accused persons were assaulting his father with fists and slaps, accordingly he intervened when *Chandra Kishor* assaulted him by an iron rod causing injury on head and



thereafter other accused persons including the petitioner assaulted him by an iron rod and *lathi* and snatched his golden chain, on alarm villagers came and thus his life was saved.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the specific allegation of assaulting the injured on head is against *Chandra Kishor*, it is next submitted that petitioner being brother of *Chandra Kishor* came to be implicated in the instant case. It is also submitted that petitioner is aged about 52 years and has remained a person with clean antecedent. It is also submitted that police after investigation submitted charge sheet but never felt the need of arresting the petitioner. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence. It is next submitted that parties have compromised also but then the cognizance has also been taken under Section 307 of the IPC. The offence is not compoundable but then petitioner is not specifically alleged to have assaulted on vital part of the body of the injured.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kumarbagh Police Station Case No. 35 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

GAURAV S./-

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