

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69176 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- NASRIGANJ District- Rohtas

Amit Kumar @ Shipu Kumar S/o Ramesh Prasad R/o Ward No. 07,
Nasriganj, Sangam Bigha, P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 10-01-2025 Heard Mr. Ajay Kumar Tiwari, learned counsel
appearing on behalf of the petitioner and Mr. Syed
Ehteshamuddin, learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nasriganj P.S. Case No. 118 of 2024 for the offences punishable
under Sections 447, 504, 324, 341, 307 and 379/34 of the Indian
Penal Code.

3. Allegation against the petitioner is of assaulting the
informant along with other accused persons causing head injury.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner had preferred anticipatory
bail application along with other accused persons against whom
similar allegation was alleged, however, considering the injury
attributable to the petitioner who had assaulted on the head of



the informant and the same was not known to the pairvikar of the present petitioner and correct information regarding injury could not be given. The bail application was rejected on the ground that the injury was on the head i.e. vital part of the body. Learned counsel submitted that injury sustained on the head of the informant has been opined by the doctor to be simple in nature. Petitioner has clean antecedent and he is in custody since 25.07.2024. On these ground, learned counsel submitted that the petitioner deserves to be released on bail.

5. Mr. Girish Chandra Sharma, learned counsel tendered his appearance on behalf of the informant and has vehemently opposed the bail application. Learned APP supported the argument advanced on behalf of the informant.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that two other similarly situated co-accused have been enlarged on bail and the petitioner has been able to give information that the injury sustained by the informant is simple in nature, which is attributable to the petitioner, and he is in custody since 25.07.2024, the petitioner has, prima facie, made out a case to be released on bail.

7. The petitioner, above named, is directed to be



enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 118 of 2024, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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