

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69854 of 2025

Arising Out of PS. Case No.-578 Year-2025 Thana- NAWADA District- Nawada

1. Gopal Kumar S/o- Om Prakash R/o- Purani Bazar PS- Town Nawada Dist- Nawada
2. Om Prakash S/o- Late Baldeo Prasad R/o- Purani Bazar PS- Town Nawada Dist- Nawada
3. Binod Kumar S/o- Om Prakash R/o- Purani Bazar PS- Town Nawada Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Prasad Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-10-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Nawada (Town) P.S. Case No.578 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 109(1) and 3(5) of the BNS, 2023.

3. Allegedly, on account of a dispute regarding drainage and flowing of water towards the house of the informant, when the same was objected, the petitioners along with other co-accused persons armed with weapons came there and brutally assaulted the informant and his family members



leading to various injuries.

4. Learned Advocate for the petitioners contended that on account of a dispute regarding drainage, both the parties had entered into a free fight resulting into injuries to persons of both the sides. However, the prosecution has failed to explain the injuries sustained to the persons of the petitioners' side. Petitioner no.1 and the informant are own brothers and moreover the present case is nothing but the counter blast of Nawada (Town) P.S. Case No.577 of 2025 instituted by the petitioners' side. The petitioners have also sustained injuries in the crime in question. However, they undertake that they will not indulge in such kind of activity in future and will abide by the terms and conditions of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that one of the injuries sustained to the informant is found to be grievous in nature, besides the fact that the petitioners bear one criminal antecedent over their head.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and considering the nature of relationship between the parties, coupled with the factum of case and counter case as also the omnibus nature of



allegation and the injuries over non-vital part, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Nawada (Town) P.S. Case No.578 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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