

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69317 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- ROH District- Nawada

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Birendra Kumar S/O Mahendra Yadav R/O Village- Kataiya, P.S- Roh, Distt.-
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Roh P.S. Case No. 205/2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(3), 3(5) of the B.N.S.

3. As per prosecution case, there is allegation against the petitioner who is said to have assaulted the informant's son by means of *iron rod* as a result of which informant's son sustained head injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. As per version of FIR, there is no allegation of repetition of blow upon



the head of the informant's son and the injury report of the informant's son is simple in nature, as is evident from Annexure-P/2 of the bail petition. He further submits that petitioner had earlier lodged Roh P.S. Case No. 203/2025 against the informant's son and others, as is evident from Annexure-P/3 of the bail petition and the present case is nothing but the counter blast of the said case. He further submits that the petitioner has falsely been implicated in this case just because the petitioner has filed the said case against the informant's son.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submitted that there is specific allegation against the petitioner who is said to have assaulted the informant's son by means of *iron rod* and the same is corroborated by the injury report. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, there is no allegation of repetition of blow against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Roh P.S. Case No. 205/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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