

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69745 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- KATHAIYA District- Muzaffarpur

1. Parmeshwar Shah S/O Late Narayan Sah R/O Village- Jasauli, Police Station- Kathaiya, District- Muzaffarpur
2. Prakash Kumar @ Prakash Shah @ Prakash Kumar Shah S/O Parmeshwar Sah R/O Village- Jasauli, Police Station- Kathaiya, District- Muzaffarpur
3. Dipak Kumar @ Deepak Kumar S/O Parmeshwar Sah R/O Village- Jasauli, Police Station- Kathaiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar @ S.K., Advocate
For the State	:	Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw this bail application on behalf of Petitioner No. 1, namely Parmeshwar Shah, as during pendency of this case, Petitioner No. 1 has already been arrested that the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, this anticipatory bail application on behalf of Petitioner No. 1 stands dismissed as withdrawn.

5. Petitioner Nos. 2 and 3 apprehend their arrest in a



case registered for the offence punishable under Sections 191(2), 191(3), 329(3), 329(4), 126(2), 115(2), 74, 75, 109, 303(2), 324(4), 324(5), 352, 351(2) and 351(3) of the B.N.S..

6. As per prosecution case, it is alleged that Petitioner No. 2 assaulted on the head of informant with butt of pistol and Petitioner No. 3 thrashed him on the ground.

7. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. There is case and counter-case between the parties. Doctor has opined the injuries, sustained by the injured, as simple in nature.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

9. Considering the facts and circumstances of the case, case and counter-case between the parties and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 2 and 3 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2 and 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of learned S.D.J.M.
(West), Muzaffarpur in connection with Kathaiya P.S. Case No.
130 of 2025, subject to condition as laid down under Section
482(2) of the B.N.S.S..

11. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

