

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69747 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- KAKO District- Jehanabad

1. Raj Kumar, Aged about 30 Years, Male.
2. Rajeev Kumar, Aged about 28 years, Male,
Both Son of Shakti Das, Both Resident of Village- Kako, P.S. Kako, District-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-10-2025 Heard Mr. Saurav Anand, learned counsel appearing
on behalf of the petitioners and Mr. Bishweshwar Ram, learned
APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Kako P.S. Case No. 95 of 2025, registered for the offence
punishable under Sections 126(2), 115(2), 109, 303, 352, 351(2)
and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioners
along with other accused persons, had assaulted the son of the
informant causing injury.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. There is case and counter case between the parties. Due to some dispute, an altercation took place between the parties and in course of the same, the petitioners may have caused some injury to the person of the informant side, in self defence. Injury sustained by the informant side has been opined by the doctor to be simple in nature as would appear from the impugned order. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties. Due to some dispute, an altercation took place between the parties and in course of the same, the petitioners may have caused some injury to the person of the informant side, in self defence. Injury sustained by the informant side has been opined by the doctor to be simple in nature as would appear from the impugned order. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Kako P.S. Case No. 95 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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