

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81819 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- TANDWA District- Aurangabad

Guddu Kumar @ Mukesh Kumar, S/o Jitendra Paswan, R/o vill - Kanchan,
P.S.- Tandawa, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kaushila Devi, W/o Umesh Paswan, R/o vill - Kanchan, P.O. - Mungiya, P.s.
- Tandwa, Distt.- Aurangabad, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-12-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State as well as learned Advocate for the informant.

2. The petitioner apprehends his arrest in connection
with Tandwa P.S. Case No. 110 of 2025, registered for the
offences punishable under Sections 191(2), 126(2), 115(2), 76,
109(1), 329(4), 352, 351 of the Bharatiya Nyaya Sanhita and
Section 8 and 12 of the POCSO Act.

3. The allegation against the petitioner is of causing
assault to the daughter of the informant by means of sharp
edged weapon over her head, due to which she sustained serious
injury, besides the allegation of misbehaving with her alongwith



other accused persons.

4. Learned Advocate appearing on behalf of the petitioner submitted that in fact on account of some previous dispute, the present FIR came to be instituted only in order to wreck vengeance and put pressure, however the petitioner has nothing to do with the alleged occurrence. Moreover, there is a counter version of the present case being Tandwa P.S. Case No. 111 of 2025 instituted against the informant and others. The parties are agnates and they are bickering over the land dispute. Moreover, the injury which is allegedly sustained to the daughter of the informant is concerned, the same is found to be simple in nature. To support the aforesaid contention, injury report is marked as Annexure 3. The petitioner is a boy of tender age having fair antecedent, undertakes before this Court that he will fully cooperate in the proceeding of the Court and would not indulge in intimidating the witness or the informant.

5. On the other hand, learned Advocate for the State and the learned Advocate for the informant vehemently opposed the pre-arrest bail application and submits that the specific accusation has been levelled against the petitioner of causing assault over the head of the informant's daughter. However, learned Advocate for the informant submits that on account of some trifle, both the parties have entered into a free fight, resulting



into some unfortunate injuries and now the good sense have prevailed between the parties and they do not want to proceed further in the matter.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the simple nature of injury, as well as the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge VI cum Special Exclusive Judge, Aurangabad (Bihar) in connection with Tandwa P.S. Case No. 110 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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