

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90287 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Niraj Kumar @ Priyanshu Kumar S/O Binay Paswan, resident of Vill.-
Katehar, Near Gawri Shankar, P.S.- Suryagarha, Dist.-Lakhisarai
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Surajgarha P.S. Case No. 231 of 2024 dated 23.07.2024
instituted for the offence punishable under Sections 341, 323,
307/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the petitioner along with other accused
persons armed with *Lathi* and *Khanti*, assaulted Sintu Kumar,
son of the informant, due to which he sustained injury on his
head.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that as per the F.I.R., it is alleged



that the three accused persons assaulted on the head of the son of the informant. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus. The date of occurrence is 17.06.2024, but the F.I.R. has been lodged on 23.07.2024 after more than one month without any plausible explanation for the delay. It is next submitted that there is specific allegation against all the three accused persons who assaulted on the head of the son of the informant by means of lathi, khanti, but there is no injury on the head. In the injury report, doctor opined 'fracture of tip of bilateral nasal bone with soft tissue swelling'. Nature of injury is grievous caused by hard and blunt object. It is also submitted that both the parties are neighbour and there is land dispute between them. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Surajgarha P.S. Case No. 231 of 2024, he will be released on bail upon furnishing bail



bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Lakhisarai subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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