

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.150 of 2025

Arising Out of PS. Case No.-82 Year-2024 Thana- NAYAGAON District- Begusarai

Bittu Kumar, S/o Chhotan Paswan @ Chhotan Pasvan, Resident of Village-
Dariyapur, P.S.- Nayagoan, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nayagaon P.S. Case No. 82 of 2024, registered for the offences under Sections 191(2), 191 (3), 190, 126(2), 115(2), 352, 351(2), 109, 117(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner and other co-accused persons, who were variously armed, came to the doors of the informant and the petitioner and co-accused Chhotu Yadav hit the informant with butt of pistol on his head causing injury to him. The son of the informant was also assaulted with *lathi, danda* and iron rod causing injuries to him.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. Admittedly, there is land dispute between the parties and this fact has been mentioned in the FIR itself. There is case and counter case and one Satyam Kumar has lodged Nayagaon P.S. Case No. 83 of 2024 against the informant and a number of persons of the family of the informant. No offence under Section 109 BNS is made out against the petitioner as from the FIR, it is apparent that there was no intention to cause death to any person. The petitioner, who is a student, is in custody since 15.10.2024 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation, submission of charge sheet, period of custody of the petitioner along with his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai/concerned court, in connection with Nayagaon P.S. Case No. 82 of 2024, subject to



the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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