

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1363 of 2025

Arising Out of PS. Case No.-187 Year-2024 Thana- SAMASTIPUR District- Samastipur

1. Rajan Kumar @ Rajan Sah S/o Vinod Sah @ Tuna Sah Resident of Ward no 13, Mahturapur, PS- Warisnagar, District- Samstipur
2. Bholu Kumar @ Bholu Sah S/o Vinod Sah @ Tuna Sah Resident of Ward no 13, Mahturapur, PS- Warisnagar, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Adv
	:	Ms. Rani Shashi Bharti, Adv
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with

Samastipur Town P.S. Case No. 187 of 2024 registered for

the offences punishable under Sections 126(2), 115(2), 109,

303(2), 352 and 3(5) of the BNS.

3. The allegation against the petitioners is to

assault informant causing head and bodily injuries having

intention to cause death of the informant, where occurrence



alleged to be arising out of previous enmities.

4. Learned counsel appearing on behalf of the petitioners submitted that alleged assault not appears repeated and nature of injury out of assault upon medical examination found simple in nature, making allegation *prima-facie* false that assault was made with an intention to cause death. It is pointed out that mother of petitioners also lodged a complaint case against informant regarding same occurrence, which was registered as Complaint Case No. 1724 of 2024 on 27.08.2024. While concluding the argument it is submitted that both petitioners are men of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as injury out of alleged assault appears simple in nature, where assault not appears repeated, negating *prima-facie* intention to cause death, accordingly both above named petitioners, in the event of their arrest or surrender before the learned trial court within a period of four



weeks, are directed to be released on bail, 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 Chief Judicial Magistrate, Samastipur/concerned trial court where the case is pending in connection with Samastipur Town P.S. Case No. 187 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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