

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23693 of 2026

Arising Out of PS. Case No.-729 Year-2025 Thana- HISUWA District- Nawada

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Sujeet Kumar S/O Rajeshwar Prasad R/O Village-Manwan, PS- Hisua,
District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Hisua P.S. Case no. 729 of 2025 lodged on 27.12.2025, for
the offence punishable under Sections 126(2), 115(2), 109, 352,
351(2) & 351(3) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution, FIR has been lodged against
08 named accused persons including the present petitioner. It
has been alleged by the informant that the accused Om Prakash
Verma and the petitioner have assaulted him by means of bricks,
due to which, injury has been caused and against other accused
persons, there is general and omnibus allegation. The cause of
dispute is that the informant was constructing the boundary with



a view to save tree and the accused persons stopped him for the same due to which the dispute occurred between them.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the informant and the petitioner are adjacent neighbours and for the same date and place of occurrence, there are case and counter case filed from both the sides i.e. one case has been lodged from the petitioner's side bearing Hisua P.S. Case No. 728 of 2025 and the present case has been lodged from the informant's side bearing Hisua P.S. Case no. 729 of 2025. He submits that the informant was encroaching the land of Railway on which a *Gambhar* tree situated which was requested by the petitioner's side for not to do the same and for the purpose of stopping the encroachment on the public land, scuffling started from both the sides resulted into injury to both the sides. Counsel submits that as per the *fardbayan* lodged by the petitioner's side, it become crystal clear that the informant received injury not by the petitioner's side, rather, villagers came then the informant fell down and received injury on his head. He further submits that the petitioner has clean antecedent.

6. Learned APP for the State opposes the prayer for



bail of the petitioner and submits that on the previous occasion, case diary along with injury report have been called for. Upon perusal of the injury report, it has been found that expect head injury, rest injuries are simple in nature.

7. As such, in the present facts and circumstances of this case considering that the head injury has been caused to the informant not by the petitioner, rather, he fell down at the place of occurrence, therefore, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case no. 729 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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