

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38734 of 2026

Arising Out of PS. Case No.-418 Year-2025 Thana- NARHATT District- Nawada

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Balmiki Chauhan @ Balmiki Noniya S/O Ramotar Chauhan @ Ramavatar
Noniya Resident of village- Punaul, P.S.- Narhat, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Narhat P.S. Case No. 418 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 109, 117(2), 329(3), 303(2) of BNS.

3. As per FIR, petitioner alongwith other co-accused person alleged to assault informant and others during the course of occurrence causing head and bodily injuries, where assault was alleged to made with an intention to cause death of the injured person. Occurrence alleged to be arising out of dispute related with drainage system.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that this petitioner specifically alleged to assault father of the informant namely, Balmiki Chauhan on his head during the occurrence. It is pointed out that no allegation of assault is available against this petitioner during the occurrence which in fact is a free fight in nature, where both parties received injuries, for which petitioner side also lodged a case which was registered as Narhat P.S. Case No. 425 of 2025.

5. Arguing further it is submitted by learned counsel for the petitioner that the injury as alleged to be caused by this petitioner on the head was not found grievous in nature rather the fifth metacarpal of the father of the informant was found fractured which is none vital part of the body, moreover, same was not alleged to be caused by this petitioner. Petitioner claimed clean antecedent.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as *prima-facie* occurrence is free fight in nature, where, both parties received injury, coupled with the fact that nature of injury as alleged to be caused by this



petitioner not appears grievous, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Nawada /concerned Court, where the case is pending in connection with Narhat P.S. Case No. 418 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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