

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73421 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- KUNALI District- Supaul

1. Jitendra Kumar @ Jitendra Kamat @ Jitendra Kumar Kamat S/O Late Kapleshwar Kamat Resident of Village- Kunauli Ward No. 12, P.S. Kunauli, District- Supaul
2. Aditya Aryan Son of Sri Jitendra Kumar @ Jitendra Kamat @ Jitendra Kumar Kamat Resident of Village Kunauli, Ward No.- 12, P.S. Kunauli, District - Supaul.
3. Janendra Kamat @ Janendra @ Janendra Kumar Kamat @ Zenendra Kamat Son of Late Kapleshwar Kamat Resident of Village Kunauli, Ward No.- 12, P.S. Kunauli, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard learned Advocate for the petitioners, the learned Advocate for the State as well as the learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Kunauli P.S. Case No.40 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2) and 351(3) of the BNS, 2023.

3. Based upon the written report, the prosecution alleges that petitioner no.2 assaulted one Gaurav Kumar by



means of danda due to which he sustained injury on his left hand finger whereas petitioner no.1 assaulted the injured Gaurav Kumar by means of knife on his left arm and petitioner no.3 indiscriminately assaulted to the informant and others by means of danda due to which the informant as well as his son sustained serious injuries.

4. The learned Advocate for the petitioners submitted that the parties are neighbour and only on account of some previous dispute, they entered into a scuffle resulting into some unfortunate injuries. The alleged occurrence took place on 14.04.2025, but the present FIR came to be instituted on 16.04. 2025. So far the injury which is allegedly sustained to the informant's wife and his son are concerned, both the injuries have been found to be simple in nature. There is a counter version of the present case being Kunauli P.S. Case No. 41 of 2025 instituted against the informant and others. The petitioners are men of fair antecedent.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the bail application and submitted that the counter version is nothing but a farce only in order to save skin from the earlier case. Moreover there is a specific accusation against the petitioners of causing assault and



there is corresponding injuries and, as such, their complicity in the crime cannot be denied.

6. Having heard the learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the genesis of the occurrence, besides the injuries having been reported to be normal as well as the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class Birpur, District-Supaul in connection with Kunauli P.S. Case No.40 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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