

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83269 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- COMPLAINT CASE District- Supaul

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Baiju Kumar Bishwas @ Baiju Kamat Son Of Ashok Kumar Bishwas @
Ashok Kamat R/O Village- Supaul, Koshi Road, Ward No. 12, P.S.- Supaul,
Dist.- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nand Kishore Chaudhary Son Of Satyanarayan Chaudhary R/O Village-
Supaul, Koshi Road, Ward No. 11, P.S.- Kishanpur, Dist.- Supaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-01-2026 Heard the parties.

2. The petitioner is named in the Complaint case
and apprehending his arrest in connection with Complaint
Case No. 05c of 2023 registered for the offences
punishable under Sections 341, 323, 379, 326, 384,
504, 427, 506 and 34 of Indian Penal Code.

3. As per complaint, scuffling took place between
petitioner and other co-accused persons where during the
course of occurrence it is alleged that petitioner thrown
chilly powder in the eye of the complainant.



4. It is submitted by learned counsel appearing on behalf of the petitioner that allegation is of simple hurt which is bailable in nature as chilly powder alleged to be thrown in the eye of the complainant and considering same as a vital part of the body, anticipatory bail was rejected by learned Sessions Judge, Supaul. It is submitted that the occurrence took place in the background of trivial issues as it is apparent from the narration of complaint itself. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Despite of service of notice none appeared on behalf of complainant on repeated calls.

7. In view of aforesaid factual submission and by taking note of fact as allegation against petitioner is to commit simple hurt out of trivial issues, 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, Supaul /concerned Court, where the case is pending in connection with Complaint Case No. 05c of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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