IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79624 of 2026

CNR No. BRHC011159122026

Arising Out of PS. Case No.-131 Year-2026 Thana- NAUHATTA District- Saharsa

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Rohit Kamat @ Rohit Kumar S/o Badri Kamat @ Badri Kumat Resident of village- Gorapara Gorpara, ward no. 11, P.S.-Nauhatta, District-Saharsa

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Pawan Kumar
For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Nauhatta P.S. Case No. 131 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 324(2), 352, 76, 351(2), 3(5) of B.N.S.

3. As per prosecution case, the petitioner is alleged to have assaulted on the head and right hand of informant's son with iron rod and knife, due to which, he sustained injuries and accordingly, FIR was lodged.

4. Learned Counsel appearing on behalf of the petitioner has submitted that even though there is allegation against the petitioner to assault the informant's son on his head

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with iron rod but the said injury was found to be simple in nature. Learned counsel next submits that there is no repetition of assault and therefore, the ingredients of Section 109 BNS is not attracted. Learned counsel further submits that the occurrence happened on account of admitted land dispute between the parties. The petitioner has got clean antecedent and, is languishing in custody since 06-08-2026. He undertakes to not repeat the offence in future.

5. On the other hand, learned APP appearing for the State though opposes the prayer for bail but fairly submits that the injury sustained by son of the informant is found to be simple in nature.

6. Taking into consideration the aforesaid facts and circumstances coupled with the nature of injury upon the person to be simple in nature, clean antecedent of the petitioner, bail is allowed. The petitioner named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III/Concerned Court, Saharsa in connection with Nauhatta P.S. Case No. 131 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of

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trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the present one, his bail bond will not be accepted.

(v) It is also made clear that there shall be no delay beyond a period of ten days in verifying the criminal antecedents of the petitioner.

(Raj Kumar, J)

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