

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29110 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- RAJIVNAGAR District- Patna

Majneesh Kumar @ Mahadev S/O Bidhan Chandra Ray @ Bidhan Chand Ray Resident of Mohalla Sultanpur Near Kushwaha Panchayat, P.S.- Danapur, Distt.- Panta. At present residing at Mohalla- Rajiv Nagar, P.S- Rajiv Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the State : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 74, 117(2), 352, 351(2), 3(5) of the B.N.S., 2023 and Section 37 of the Bihar Prohibition and Excise Act, 2022.

3. The allegation in the FIR is that the FIR named accused persons along with others forcibly entered the shop of the informant and assaulted her son and when she intervened, she was also assaulted by the petitioner on her hand.

4. Learned counsel for the petitioner submits that the petitioner has been made an accused on account of business



rivalry as it would be evident from the FIR itself that the shop of co-accused Ravi Kumar is in front of the shop of the informant and both are running fast food centres. The petitioner's name has been dragged as he is a daily wage worker as an employee of Ravi Kumar. So far as the allegation of assault upon the son of the informant, namely, Anish Kumar is concerned, the same is general and omnibus against all the accused persons and the injury report of Anish Kumar shows injury on his head. However, there is no evidence of any intracranial hemorrhage and no bony injury was seen. The final injury report after CT scan also shows that the said injury is simple in nature. So far as the injury of the informant is concerned, the same is not available on record. However, the allegation upon the petitioner is that he had hit on her left hand which is non-vital part of the body. It is further submitted that petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released



on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Rajiv Nagar P.S. Case No. 02 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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