

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31654 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- MAHINDWARA District- Sitamarhi

Sanjil Kumar @ Sanjil Kumar Yadav son of Vilash Rai @ Bilash Ray village
- Balua, P.S. - Mahindwara, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate
For the State	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Ajay Kr. Thakur, Advocate
		Mr. Virendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Mahindwara P.S. Case No. 06 of 2025, dated 04.01.2025, lodged under Section 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of Judicial Magistrate 1st Class, Sitamarhi.

3. As per the prosecution, FIR has been lodged against four named accused persons, including the present petitioner, with the allegation that all the accused assaulted the informant and his uncle with a sword, knife, and iron rod, causing injuries.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He further submits that the entire occurrence took place because the petitioner had made a complaint against the *Mukhiya* regarding defects in the road. He further submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him in which he is on bail. It is also submitted that for the same date and place of occurrence, a case and a counter-case have been lodged between the parties. The petitioner's side has filed Mahindwara P.S. Case No. 11 of 2025, while the informant's side has lodged Mahindwara P.S. Case No. 06 of 2025. Counsel further submits that both the petitioner and the informant belong to the same village, and due to political rivalry, the present case has been falsely lodged.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that, as per the FIR, there are specific allegations against the present petitioner. Counsel also submits that the injury sustained is grievous in nature and that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.



7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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