

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42396 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- CHHATAUNI District- East Champaran

MITHU KUMAR Son of Shiv jee sah @ Shiv sah R/O Vill- Bada bariyarpur
P.S-Chhatauni, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend his arrest in connection with Chhatauni P.S. Case No.135 of 2025 lodged on 14.03.2025, for the offences punishable under Sections 329(3), 126(2), 118(1), 109, 352 and 351(2) of the B.N.S.

3. As per the prosecution, FIR has been lodged against the petitioner with allegation that he has assaulted the informant with knife due to which injury took place in left leg and finger.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the petitioner has been falsely implicated in the present case. He further submits that no material has come against the petitioner and due to village politics, his name has figured in the FIR.

5. Counsel submits that the criminal antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail and submits that the petitioner is named in the F.I.R. and specific allegation of assault is against him.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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