

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46691 of 2025

Arising Out of PS. Case No.-350 Year-2024 Thana- KOCHAS District- Rohtas

Mukesh Kumar Rai S/O Chandeshwar Rai R/O Village- Kuchila, Post-
Kuchila, Police Station- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 12-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kochas P.S. Case No. 350 of 2024, (FIR No. 5125001240350) registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115 (2), 109(1), 329(3), 303(2), 352, 351 of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner and two others are said to have assaulted the informant on his head by means of lathi, danda and rod as a result of which informant sustained head injury.

4. The learned counsel for the petitioner has submitted that the petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He has further stated in para 7



that dispute arose on account of PACS election result in which the petitioner and the informant's son contested for the post of Chairman and the petitioner was declared elected. The alleged occurrence took place on 01.12.2024 after election result was declared. Petitioner is quite innocent and has committed no offence though there is allegation against the petitioner who is said to have assaulted the informant on his head along with other but the injury of informant is found to be simple in nature and the injury on the other parts of the body is grievous but same is on non-vital part of the body. Petitioner having one criminal antecedent in which he is already on bail and allegation made u/s 109(1) is not made out against the petitioner in the present case. Apart from other section and 27 of the Arms Act is also not attracted as there is no allegation of firing against him.

5. The learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail and submitted that the petitioner is F.I.R. named accused and the petitioner cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, there is no specific allegation against the petitioner rather the allegation of assault on head of the informant and the said injury is found to be simple in nature, and also taking into



consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Rohtas at Sasaram, in connection with Kochas P.S. Case No. 350 of 2024, (FIR No. 5125001240350), subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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