

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58016 of 2025

Arising Out of PS. Case No.-396 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Krishna Kumar S/O Jagjiwan Ram R/O Village- Diya, P.O.- Ramgarh, P.S.- Mohania, District- Kaimur At Bhabua
2. Manager Ram @ Manoj Ram S/O Bigan Ram R/O Village- Diya, P.O.- Ramgarh, P.S.- Mohania, District- Kaimur At Bhabua
3. Munna Ram @ Mannu Ram S/O Bigan Ram R/O Village- Diya, P.O.- Ramgarh, P.S.- Mohania, District- Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-11-2025 Heard the parties.

2. That the present application has been preferred for:

*the grant of for anticipatory bail to
the petitioners who apprehends their arrest in
connection with Mohania P.S. Case No.396
of 2025 for the offence alleged under section
115(2), 126(2), 109(1), 117(2),352,351(2),
351(3),3(5) of the B.N.S., Pending in the
court of A.C.J.M.-1st, Mohania, Kaimur at
Bhabua.*

3. The petitioners are apprehending their arrest in



connection with Mohania P.S. Case No. 396 of 2025 for the offence under Sections 115(2), 126(2), 109(1), 117(2), 352, 351(2), 351(3), 3(5) of the B.N.S. 2023 lodged on 13.05.2025 by the informant, Akshay Kumar.

4. As per the prosecution story, the informant alleged that due to drainage dispute, dial 112 was called. Infuriated, the accused persons assaulted the family members of the informant. This led to the FIR.

5. Learned counsel for the petitioners submit that both are neighbors, minor scuffle took place, the injury report shows that it has been found to be simple in nature, they have no criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on its own would like to contribute Rs. 2000/- each (in total Rs. 6,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP opposes the prayer submitting that assault theory is there against the petitioners. In this case, the co-



ordinate Bench has called for the case diary and the injury report supports the submission of the learned counsel for the petitioners as the same has been found to be simple in nature.

7. Considering the submission of the parties as also the petitioners do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 2000/- (in total Rs. 6,000/-) as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

9. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M.-1st, Mohania, Kaimur at Bhabua. in connection with Mohania P.S. Case No. 396 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners will appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioners will in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners will desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

(Rajiv Roy, J)

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