

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57582 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- BHELDI District- Saran

Mithlesh Kumar @ Mithlesh Kumar Rai S/O Virendra Rai R/O Village-
Bariyarpur, Police Station- Bheldi, District- Saran(Chapra)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard Mr. Brij Kishore Mishra, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bheldi P.S. Case No. 60 of 2025 registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 303(2), 308(2), 333, 352, 351(2) of the Bharatiya Nyaya Sanhita, lodged on 03.03.2025 by the informant Bharat Prasad Singh.

3. As per the prosecution story, the informant alleged that he is having shops in Bheldi Bazar whereas this petitioner is a land grabber who wanted an extortion money from him. The allegation is that while he was sitting in his shop, the accused persons armed variously came and the petitioner alongwith Virendra Rai who were armed with country made weapon, on the order of Virendra Rai, Mithlesh Kumar assaulted with iron rod causing injury on the head and nose. Virendra Rai further assaulted Kamlesh Kumar Singh while Sumit Kumar Rai also assaulted



Kamlesh Kumar Singh causing injury. Allegation of hitting by Mithlesh Kumar Rai Kamlesh Kumar Singh is also there, further allegation of taking away of some money. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the case is contrary to it inasmuch as the informant want to grab the land of the petitioner in which scuffle took place, there is a case and counter case and the criminal antecedent that is reflected in paragraph no.3 is again due to the scuffle with the same informant. He however concede that the injury on nose has been found to be grievous in nature.

5. Learned APP on the other hand opposes the prayer submitting that a bare perusal of the F.I.R. would show that brutal assault took place and further he has criminal antecedent.

6. Considering the submissions of the parties as also the materials on record, the injury has been found to be grievous in nature, in that background, this Court is not inclined to extend him the privilege of anticipatory bail.

7. Accordingly, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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