

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61396 of 2025

Arising Out of PS. Case No.-139 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Dhirendra Singh @ Dhiren Singh S/o Umesh Singh Resident of vill- Chaidha,
ward no. 2, P.S.- Maheshkhunt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 10-09-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Maheshkhunt P.S. Case No. 139 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 76, 352, 351(2), 351(3), 3(5) of the B.N.S. and Section ¾ of the Witch Act.

3. Allegedly, on the fateful day, all the FIR named accused persons including the petitioner came at the house of the informant and brutally thrashed her in the pretext of causing witchcraft. It is specifically alleged that the petitioner dragged the informant out of the house by catching her hair and assaulted with *lathi*, *danda*, shoes and slippers. He further threw her on ground, due to which she sustained fracture injury in her



wrist.

4. Learned Advocate for the petitioner contended that the alleged occurrence took place in the morning of 03.08.2025, but the present FIR came to be instituted on 05.08.2025. In fact, both the parties are next door neighbours and on account of a trifle, they entered into a free fight resulting into unfortunate injuries to the persons of both the sides. The allegation against the petitioner is made only on account of he being *karta* of the family; moreover, there is a counter version of the present case being Maheshkhunt P.S. Case No. 140 of 2024, instituted against the informant and her family members. The petitioner bears fair antecedent and he undertakes that he will not indulge in such fight in future.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the informant has sustained grievous injury, though it is on non vital part.

6. Having considered the submissions set-forth by learned Advocate for the respective parties and taking note of the factum of case and counter case, coupled with the delay in lodging of the FIR as also the fact that the case has been instituted under Section 117(2) along with other Sections of the



BNS and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Maheshkhunt P.S. Case No. 139 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions that:-

- (i) one of the bailors shall be the own/close family members of the petitioner.
- (ii) if the petitioner would found indulge in such activities or intimidating the witnesses, the informant shall be at liberty to file application for cancellation of his bail.

(Harish Kumar, J)

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