

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64708 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- SALIMPUR District- Patna

1. Brajesh Singh S/O Krishna Singh R/O Village-Manjhauli Bigha, Ps-Salimpur, Distt-Patna
2. Rakesh Kumar S/O Rudal Singh R/O Village-Manjhauli Bigha, Ps-Salimpur, Distt-Patna
3. Vikash Kumar S/O Rudal Singh R/O Village-Manjhauli Bigha, Ps-Salimpur, Distt-Patna
4. Mithun Kumar S/O Prabhat Singh R/O Village-Manjhauli Bigha, Ps-Salimpur, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Vaishnavi Singh
		Mr. Ritwik Thakur
For the Opposite Party/s :		Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Salimpur P.S. Case No. 92 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 352 and 351(2) and 3(5) of BNS, 2023.

3. As per prosecution case, petitioners and other abducted informant's son and forcibly got him seated in a car and while assaulting him went towards Bakhtiyarpur and also smashed his phone. Informant's son was left in an unconscious state behind a petrol pump in Amipur and when informant's son gained



consciousness then he called informant through the phone of a person near the hotel and thereafter, informant came to take his son and subsequently informant took his son to Bakhtiyarpur Government Hospital. It is alleged that informant's son was severely injured with wound all over his body.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. From the perusal of the FIR, it is evident that informant is not a witness to any part of the occurrence. It is further submitted that dispute had arisen between the parties for some DJ sound. Learned counsel further submits that there is no specific allegations of assault against the petitioners rather the same is general and omnibus in nature. It is further submitted that there is allegation against five accused persons to assault the informant's son but the injury suffered by the victim is whole body pain, both eyes swelling, vomiting and mouth bleeding and the nature of the injury opined is simple in nature and the injury report is inconsistent with the prosecution story. Learned counsel further submits that petitioner no.1 bears criminal antecedent of one case in which he is on bail, petitioner nos. 2 and 3 bear no criminal antecedent whereas petitioner no.4 bears criminal antecedent of three cases in which he is on bail in all the cases.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that



petitioners are FIR named persons and they cannot escape from the allegation as alleged in the FIR.

6. Considering the facts and circumstances of the case, there is no specific overt-act against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna in connection with Salimpur P.S. Case No. 92 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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