

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66207 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- UDAKISHUNGANJ District- Madhepura

1. Niranjan Kumar Son of Late Hariballabh Sah Resident of Village - Karauti, Ward No.- 10, P.S.- Udakishunganj, District - Madhepura.
2. Kunal Himanshu Son of Late Hariballabh Sah Resident of Village - Karauti, Ward No.- 10, P.S.- Udakishunganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. After some arguments, learned counsel for the petitioners prays for withdrawal of the present anticipatory bail application on behalf of the petitioner no. 1 namely, (Niranjan Kumar).

3. Permission is granted.

4. This application is dismissed as withdrawn with liberty that if the petitioner no. 1 surrenders and seeks regular bail, the same shall be considered on its own merits without being prejudiced by the present withdrawal and the same may be considered preferably on the same day.

5.The application thus, survives against petitioner no.2.

6. The petitioner apprehends his arrest in connection



with Udakishunganj P.S. Case no. 96 of 2025 registered under Sections 126(2)/ 127(2)/ 115(2)/118(1)/ 109(1)/ 303(2)/ 74/ 324(4)/352/3(5) of the B.N.S. 2023.

7. The allegation in the first information is that all the accused persons claim and assaulted with an iron rod, causing serious injury.

8. Learned counsel for the petitioner submits that the first information report indicates that besides general and omnibus allegations on all, there is a specific allegation of assault upon Niranjan Kumar (petitioner no.1) and his son Siddharth Kumar, causing grievous injuries to the injured persons. So far as the petitioner no. 2 is concerned, there is an allegation of assault upon the informant by means of iron rod; however, the order of the learned Sessions Judge indicates that the injury suffered by the informant is simple in nature and caused by hard and blunt object. It has further submitted that there are injuries on the side of the petitioner also, and as a matter of fact, petitioner no. 2 has himself suffered grievous injuries at the hands of the informant side, and the injury report has been annexed as Annexure P/4 to the present application. The petitioner undertakes to cooperate in the case/trial.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State.

10. Taking into consideration the aforesaid facts and



circumstances of the case and also considering that the specific allegations of assault of causing grievous injuries are against other accused persons and petitioner no. 2 has himself suffered grievous injury with the existence of a case and counter-case, let the above named petitioner no. 2 namely, Kunal Himanshu who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Udakishunganj P.S. Case no. 96 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Udakishunganj (Madhepura), subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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