

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68104 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- DIDARGANJ District- Patna

1. Chhotu Kumar Son of Subhash Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna
2. Vishal Singh @ Vishal Kumar Son of Subhash Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna
3. Abhishek Kumar son of Subhash Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna
4. Sonu Kumar son of Subhash Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna
5. Upendra Singh @ Upendra Kumar son of Ramji Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna
6. Prince Kumar son of Baskit Singh Resident of Village- Gauharpur, P.S.- Deedarganj, Districct- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 13-10-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 351, 352, 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner no.2 has antecedent of one case and rest of the



petitioners are persons with clean antecedent and the informant alleges that in the market, his motorcycle was dashed by an auto. On protest, Prince and Vishal assaulted him by an iron rod causing injury on head. Further, people of the vicinity took him to hospital, when Vicky, Abhishek, Chhotu and Upendra also came and Vicky assaulted his brother Vikash by sword causing injury on neck, thereafter Abhishek assaulted Rishu by a butt of pistol causing injury on head, when villagers gathered the accused fled.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of an accident, an altercation took place in which both sides assaulted each other. It is next submitted that even injury suffered by the injured has been opined to be simple in nature. It is next submitted that though informant alleges that Vicky assaulted Vikash and Abhishek assaulted Rishu, but then, it is submitted that it absolutely does not stand to reason that how the informant saw the aforesaid accused assaulting Vikash and Rishu when he himself alleges that he was taken to hospital. It is next submitted that four petitioners are in the age group of 18-



22 years and two petitioners are in the age of 26 years and 30 years. It is also submitted that no specific allegation is alleged against the petitioners of assault.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mr. Nishit Deo, the learned J.M.F.C., Patna City, Patna in connection with Didarganj P. S. Case No.379 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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