

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72390 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Shahpur P.S. District- Nawada

1. Mahesh Singh S/O Late Badri Singh R/O Village- Sarkati, P.S- Shahpur, Distt.- Nawada.
2. Shyam Nandan Singh S/O Late Badri Singh R/O Village- Sarkati, P.S- Shahpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harsh Anuj, Advocate
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Birendra Kumar, Advocate
		Mr. Kumud Kishore, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. Earlier, anticipatory bail of the petitioners was rejected by a Co-ordinate Bench of this Court vide order dated 16.07.2025 passed in Cr. Misc. No. 44598 of 2025.

3. The petitioners seek bail in connection with Sahpur P.S. Case No. 37 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. The prosecution case, in short, is that co-accused Lalit Singh abused and struck informant's uncle on the head



with an iron rod due to which he became unconscious. It is further alleged that thereafter the petitioners along with other co-accused persons also assaulted the informant and his uncle.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that no specific allegation has been attributed against the petitioners rather the same is general and omnibus in nature. It is further submitted that informant's uncle sustained injury on his head which is grievous in nature caused by hard and blunt object and the same has been caused by co-accused Lalit Singh. The petitioners are in custody since 28.07.2025. Petitioner no. 1 has got no criminal antecedent, whereas, petitioner no. 2 has got two criminal antecedents.

6. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.



8. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahpur P.S. Case No. 37 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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