

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84433 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- SARAI RANJAN District- Samastipur

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Suman Kumar Mishra son of suresh Mishra Resident Of Village-Haripur
Barheta, P.s.- Sarairanjan, District-samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025 Heard the learned Advocate for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sarairanjan P.S. Case No. 54 of 2025, registered for the
offences punishable under Sections 126(2), 115(2), 118(1), 109,
303(2), 74, 352, 351(2), 351(3) and 3(5) of the B.N.S.

3. On the eve of *Holi*, when the informant raised an
objection regarding the conduct of the accused persons, who
were misbehaving with the female members of the informant's
family, this infuriated the accused persons, including the
petitioner, who later on came at the place of occurrence along
with various weapons and started abusing and assaulting. It is
specifically alleged that this petitioner fired upon the informant,
but he anyhow concealed himself and later on, he further
assaulted him by means of butt of pistol.

4. Learned Advocate for the petitioner contended that



specific accusation has been levelled against co-accused *Munna Mishra, Satish Mishra, Shankar Mishra, Gaurav Jha* and *Pradip Rai*. So far the petitioner is concerned, admittedly on account of the firing, allegedly made by him, none has sustained any injury. During the course of investigation, no cartridges have been recovered from the place of occurrence and, as such, the accusation of firing also appears to be doubtful. In fact, during the *Holi* festival because of some allegation and counter allegation, the parties have entered into a free fight, resulting into injuries to persons of both the sides, leading to institution of case and counter case bearing Sarairanjan P.S. Case No. 56 of 2025, instituted against the informant and others. It is further contended that this fact cannot be denied that two of the persons have sustained grievous injury, but both the injuries are on non vital part and not specifically attributed to the petitioner. Moreover, the petitioner bears fair antecedent and he undertakes that he will fully co-operate in the proceeding of the Court. It is lastly contended that some of the accused persons have also been allowed anticipatory bail as well as regular bail by the Court below itself. To support the aforesaid contention, the orders have also been placed on record.

5. On the other hand, learned Advocate for the State



opposed the pre-arrest bail application and submits that the petitioner has actively participated in the crime.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the nature of accusation, coupled with the fact that the injuries which are allegedly sustained to the informant are not specifically attributed to the petitioner, besides his fair antecedent, 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 Judicial Magistrate 1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 54 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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