

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1932 of 2026

Arising Out of PS. Case No.-403 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Mithu Kumar @ Mithu Dhobi @ Miththu Kumar S/O Guput Dhobi @ Lala
Dhobi R/O Badi Bazar, Mohania, Ward No. 10, P.O and P.S- Mohania, Distt.-
Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mohania P.S. Case No. 403 of 2025 dated 15.05.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 303(2) and 3(5) of the B.N.S.

3. The prosecution case is to the effect that the petitioner along with three named accused persons and 5 to 6 unknown persons brutally assaulted the nephew of the informant with iron rod etc. It is further alleged that the accused persons also snatched away the cash being carried by the said persons.

4. The learned counsel for the petitioner submits that



petitioner has falsely been implicated and no such occurrence as alleged has occurred. It has further been submitted that the allegation levelled in the F.I.R. is not corroborated by the injury, from perusal of the same, it would appear that two injuries were suffered by the injured Ritesh Kumar on his head which were of the size 3-3.5 cm in length and 0.5 to 0.8 cm in depth, meaning thereby that the injuries is simple in nature. It has further been submitted that the allegation is general and omnibus and no specific allegation of assault has been made against the petitioner. Learned counsel has further submitted that the similarly situated co-accused, namely Devmuni Dhobi has been granted anticipatory bail by a Coordinate Bench of this Court. It has lastly been submitted that the petitioner has three criminal antecedents in which he is on bail.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, 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 Court below where the case is pending/successor court in connection with Mohania P.S. Case No. 403 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) In view of the antecedents of the petitioner, the



petitioner is directed to appear before the Superintendent of Police, Kaimur, Bhabua within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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