

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2590 of 2026

Arising Out of PS. Case No.-416 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

1. Rajesh Kumar S/o Prabhu Dayal R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
2. Aman Kumar S/o Rajesh Kumar @ Rajesh Singh R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
3. Akash Kumar S/o Nityanand Kumar R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
4. Kundan Kumar S/o Dwarika Singh R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
5. Tipu Kumar S/o Dharmendra Kumar R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
6. Aman Kumar @ Kallu Kumar S/o Deepak Singh R/o Village - Madhobigha, P.S - Muffasil, District - Nawada
7. Nityanand Kumar @ Nityanand Singh S/o Late Devendra Singh R/o Village - Madhobigha, P.S - Muffasil, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Md. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 416 of 2025 registered for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 74, 109, 352, 351(2) and 351(3) of the B.N.S.

3. As per the prosecution story, the allegation against



the petitioners is that they have all assaulted the informant's side.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case on account of land dispute pending between the parties. It has been submitted that, in fact, it was the informant and others who were trying to occupy the land by dispossessing the petitioners and thereafter, a scuffle took place between the parties and from perusal of the F.I.R, it would be evident that the same has been well drafted as an afterthought and was lodged after two days of the occurrence. It has further been pointed out that the injuries sustained by all the persons were found to be simple in nature. It has lastly been submitted that the petitioner no.1 carries two criminal cases, petitioner no. 2 carries one criminal case, petitioner no. 3 carries two criminal case, petitioner no. 5 carries one criminal case, petitioner no. 7 carries one criminal case and petitioner nos. 4 and 6 carry clean antecedents.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender



before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each 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 Muffasil P.S. Case No. 416 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 B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the present application stands disposed of.

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

(Sourendra Pandey, J)

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