

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2777 of 2026

Arising Out of PS. Case No.-324 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Vikash Kumar S/o- Jitendra Das Resident of Chakbahauddin ward no 01 PS-
Dalsinghsarai, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ankita Singh, Adv.

For the Opposite Party/s : Mrs. Nirmala Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard learned Advocate appearing on behalf of the
petitioner and the learned Additional Public Prosecutor for the
State.

2. The petitioner apprehends his arrest in connection
with Dalsinghsarai P.S. Case No. 324 of 2025, registered for the
offences punishable under Sections 103(2), 352, 3(5) of the
Bharatiya Nyaya Sanhita.

3. The allegation against the petitioner is of causing
assault to the husband of the informant by means of *lathi*,
danda, fist and slap. It is specifically alleged that in course of
putting a ridge over the land, a dispute has arisen, whereupon
the petitioner alongwith co-accused Jitendra Das, hold the
husband of the informant and thrashed them. On account of
assault, the husband of the informant sustained serious injuries,



leading to his death.

4. Learned Advocate appearing on behalf of the petitioner submitted that the alleged occurrence took place in the morning of 28.08.2025 and the present FIR came to be instituted on 30.08.2025. Moreover, the entire allegation falls to the ground for the simple reason that during the course of post-mortem, no external injuries have been found over the body of the deceased and the cause of death is said to be cardio arrest. Taking note of the aforesaid facts, one of the co-accused namely Rajiya Devi has been extended the privilege of anticipatory bail by a Bench of this Court in Criminal Miscellaneous No. 88478 of 2025. The petitioner is a man of fair antecedent and he further submits that the reason behind the falls implication of the petitioner and his family members is nothing, but a land dispute.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR besides the post-mortem report which suggest no external or internal injuries over the body of the deceased as well as the fair antecedent of the petitioner, 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 Additional Chief Judicial Magistrate-1, Dalsinghsarai (Samastipur) in connection with Dalsinghsarai P.S. Case No. 324 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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