

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5511 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Raja Kumar Son of Bhola Ray Resident of Village- Jitwarpur Dih PS-
Muffasil Dist -Samastipur
 2. Rajan Kumar Son of Khirhar Ray Resident of Village- Jitwarpur Dih PS-
Muffasil Dist -Samastipur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-02-2026

Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per FIR, petitioner no.2 repeatedly assaulted on the head of son of the informant with butt of pistol.

4. Learned counsel appearing for the petitioners submits that allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the fact that there is no allegation of committing overt act against petitioner no.1, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within a period of eight weeks from today, let this petitioner, named above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the Additional Chief Judicial Magistrate II, Samastipur in Muffasil Police Station Case No. 237 of 2025, subject to the conditions laid down under section 482 Bharatiya Nagarik Suraksha Sanhita, 2023.

7. There is specific allegation of repeated assault against petitioner no.2, his prayer for bail is rejected.

(Prabhat Kumar Singh, J)

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