

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4468 of 2026

Arising Out of PS. Case No.-202 Year-2025 Thana- MASHRAK District- Saran

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Bishesh Kumar @ Vishesh Kumar Son of Rameshwar Mahto, Resident of
Village- Samashpura, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate
For the State : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Mashrakh P.S. Case No. 202 of 2025, dated
11.05.2025, registered for the offences punishable under
Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2),
351 (3) and 3(5) of BNS.

3. As per allegation, the accused persons including the
petitioner came to the house of the informant and assaulted her
family members.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that as a matter of fact, both sides are
next door neighbors and on some dispute, altercation took place.



He further submits that alleged injury is simple in nature. As such, Section 307 of the Indian Penal Code is not made out against the petitioner. It is a matter of simple injury which is bailable in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Mashrakh P.S. Case No. 202 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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