

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6918 of 2026

Arising Out of PS. Case No.-671 Year-2025 Thana- BIDUPUR District- Vaishali

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Birendra Kumar @ Birendra Rai Son of Ray Saheb Singh @ Ray Saheb Ray
Resident of Village- Rahimapur, P.S.- Biddupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-02-2026 This case has been listed on the mentioning slip filed

by learned counsel for the petitioner on the ground that the

father of the petitioner has died.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner seeks bail in a case registered for
the offence punishable under Sections 126(2), 115 (2), 117(2),
118(1), 109, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita,
2023.

4. As per the prosecution case, the petitioner in
association with other co-accused and 10-12 unknown persons
are said to have brutally assaulted the uncle of the informant.

5. It is submitted by learned counsel for the
petitioner that due to petty dispute of grazing the buffalo the



dispute took place between the parties and the allegation is made upon the five accused persons along with 10-12 unknown persons that they indiscriminately assaulted by various weapons. So far as the petitioner is concerned, there is an allegation that he along with another co-accused assaulted by means of spade on the head of the informant causing serious injury to him. The injury report, which is Annexure-2, indicates that there is no midline displacement, hemorrhage etc. on the head, rather a fracture is noted on tip of bilateral nasal bone, which is opined to be grievous in nature. Further, it has been submitted that there was a free fight between the parties and Biddupur P.S. Case No.569 of 2025 has been lodged with specific allegation against the informant by the brother of the petitioner. The petitioner has been languishing in custody since 24.11.2025 and chargesheet has been submitted.

6. Learned APP for the State opposed the bail petition on the ground that the petitioner has four criminal antecedents. However, in response, it is submitted that except one all are under the provisions of Excise Act and the petitioner is on bail in all the cases.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that there



was free fight between the parties and the case lodged by the petitioner's side is earlier in point of time, the above named petitioner is directed to be enlarged on bail 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 Biddupur P.S. Case No.671 of 2025, subject to the conditions that :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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