

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5979 of 2026

Arising Out of PS. Case No.-352 Year-2025 Thana- MUFFASIL District- Aurangabad

Bittu Kumar Yadav @ Bittu Kumar S/o Ramesh Yadav R/o vill- Ora, P.S.-
Aurangabad Mufassil, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Aurangabad Mufassil P.S. Case No. 352 of 2025 for the offence under Sections 126(2), 115(2), 352, 109(1) and 3(5) of the BNS.

3. As per the prosecution story, the informant has alleged that on 12.09.2025 at about 07:00 PM, he had gone to purchase ration. At that time, petitioner-Bittu Kumar Yadav, came from behind the informant and started abusing him. When the informant questioned the reason for such abuse, the petitioner allegedly assaulted him with an iron rod. When the informant attempted to move back and raise his hand to protect himself, the iron rod struck his head and hand, resulting into a



crack injury on the head and fracture of the hand, causing him to fall unconscious.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is contended that the petitioner has been falsely implicated in the present case. No occurrence as alleged has taken place, and the entire prosecution story is concocted and fabricated. Learned counsel further submits that the present case is a counterblast to Aurangabad Mufassil P.S. Case No. 353 of 2025, lodged under various provisions of the Bharatiya Nyaya Sanhita, along with Sections 3 and 4 of the Prevention of Witch Practices Act, instituted by Kavita Devi against the informant and others, alleging assault, molestation, and branding her as a *dayan* (witch). It is also submitted that the injury report of the informant Manish Singh, which has been brought on record as Annexure-2 to the bail application, clearly shows that all the injuries sustained are simple in nature. Lastly, it has been stated in para 3 of the bail application that the petitioner has clean antecedents and no criminal history.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Mufassil P.S. Case No. 352 of 2025 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioner.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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