

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9642 of 2026

Arising Out of PS. Case No.-65 Year-2025 Thana- THARTHARI District- Nalanda

1. Arvind Prasad @ Mahesh Kumar Son of Yugeshwar Prasad R/o Village - Milkpar, P.S. - Hilsa, Dist. - Nalanda.
2. Lilee Prasad @ Anil Prasad Son of Bikhi Prasad R/o Village - Milkpar, P.S. - Hilsa, Dist. - Nalanda.
3. Rohit Kumar Son of Sadanand Prasad R/o Village - Agnu Bigha, P.S. - Hilsa, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Tharthari P.S. Case No. 65 of 2025 registered for the offences under Sections 191(2), 126(2), 115(2), 303(2) and 109 of the B.N.S. and under Section 27 of the Arms Act.

3. As per the prosecution case, the informant has alleged that he is a guard in a school and that while he had gone to switch on the lights, the petitioners, along with five to six unknown persons, asked his name and thereafter started assaulting him with fists and even snatched away his gold chain.



It has further been alleged that the accused persons also started firing.

4. Learned counsel for the petitioners submits that the petitioners are falsely been implicated and in fact, the incident as alleged has not at all occurred. He further submits that on occasion of the marriage of the daughter of one Ramparit Prasad, who is the relative of petitioner number 1 and 2, there was an altercation and on account of such altercation, the petitioners have been falsely implicated. It has further been submitted that the injury was found to be simple on the right forearm of the informant and no incriminating article has been recovered from the conscious possession of the petitioners. It has lastly been submitted that the petitioners carry clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each 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 Tharthari P.S. Case No. 65 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be his close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond



of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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