

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8441 of 2026

Arising Out of PS. Case No.-294 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Raja Badhayee S/O Nek Lal Badhayee R/O Village- Turki Ward No. 1, P.S-
Bakhityarpur, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subesh Sharma, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 01-04-2026 Learned counsel for the petitioner submits that due to

inadvertent mistake, it has come in paragraph 7 of the bail

petition that parties are agnates. Therefore, he seeks permission

to correct the same.

2. Permission is granted.

3. As such, counsel for the petitioner is directed to

correct the same in course of the day.

4. Heard Learned Counsel for the petitioner and

Learned APP for the State.

5. The petitioner is apprehending arrest in connection

with B.K.P. P.S. Case No.294 of 2025 lodged on 01.10.2025, for

the offences punishable under Sections 126(2), 115(2), 118(1),

117(2), 109, 303(3), 352, 351(2) and 3(5) of the B.N.S., 2023.



6. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner with allegation that the petitioner has assaulted the informant by lathi-danda and iron rod in the name of removing wall. The allegation of snatching Rs.40,000/- and Mangalsutra is also there.

7. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner and informant, both are resident of same village and they are adjacent neighbour. He submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case *i.e.*, B.K.P. P.S. Case No.294 of 2025 (present case) and the petitioner has lodged case *i.e.*, B.K.P. P.S. Case No.305 of 2025. He further submits that none of the parties are criminal, but it is true that scuffling took place from both sides for removing the wall, due to which injury has been caused from both sides.

8. Counsel submits that the criminal antecedent of the petitioner is clean

9. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the



petitioner is clean.

10. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Saharsa in connection with B.K.P. P.S. Case No.294 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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