

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9785 of 2026

Arising Out of PS. Case No.-499 Year-2025 Thana- DINARA District- Rohtas

1. Budhraj Singh Son of Late Ram Awatar Singh R/o Village - Bensagar, P.S. - Dinara, District - Rohtas.
2. Guddu Kumar Son of Budhraj Singh R/o Village - Bensagar, P.S. - Dinara, District - Rohtas.
3. Rita Devi Wife of Budhraj Singh R/o Village - Bensagar, P.S. - Dinara, District - Rohtas.
4. Prince Kumar Son of Budhraj Singh R/o Village - Bensagar, P.S. - Dinara, District - Rohtas.
5. Pappu Kumar Son of Budhraj Singh R/o Village - Bensagar, P.S. - Dinara, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-03-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner nos.1 and 2, namely, Budhraj Singh and Guddu Kumar respectively as they were arrested during pendency of the instant anticipatory bail application.

3. Permission is accorded.

4. Accordingly, instant petition is dismissed as



withdrawn with respect to petitioner nos.1 and 2, namely, Budhraj Singh and Guddu Kumar.

5. The petitioner nos.3, 4 and 5 seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 351(2), 352, 117(2), 3(5) of the B.N.S.

6. The learned counsel for the petitioners submits that the petitioner nos.3 and 4 are persons with clean antecedent and petitioner no.5 has antecedent of one case and petitioner no.3 is a woman and the informant alleges that on 17.11.2025 at about 3.00 P.M., he along with his son (Santosh) were irrigating the potato field when his agnates (petitioners) came variously armed and started abusing. On objection, the accused persons assaulted his son by an iron rod, lathi and danda causing injury on forehead and his son also suffered internal injury. Further, when the informant's family members came to rescue them, the accused also assaulted them with lathi, danda and iron rod causing injury on forehead of his nephew Hari Shankar and he also suffered fracture of left hand. Further, Upendra was also assaulted, who suffered injury on his head and left hand while wife of the informant sustained fracture injury of right hand.

7. The learned counsel for the petitioners submits that



petitioner no. 3 is a woman and petitioner no.4 is a young boy aged about 19 years and if they are sent to judicial custody their entire career would get jeopardized and chances are bright that they may come in contact with hardened criminals. It is also reiterated and submitted that petitioner nos.3 and 4 are persons with clean antecedent. It is next submitted that as far as petitioner no.5 is concerned, the allegation against him is also general and omnibus in nature.

8. Learned A.P.P. opposes the anticipatory bail application and submits that two persons have suffered grievous injury including a woman from the side of the informant and petitioner no.5 is a person having criminal antecedent under the Arms Act. It is next submitted that no doubt, allegation of assault is not specific, but then, two persons from the side of the informant have suffered grievous injury, on which the learned counsel appearing on behalf of the petitioners submits that though in the FIR, it is alleged that the accused persons assaulted the side of the informant by lathi, danda and iron rod, but then, Upendra suffered grievous injury on account of assault by sharp edged weapon when the same is not alleged in the FIR, on which learned A.P.P. submits that FIR is not an encyclopedia.

9. After hearing the learned counsel for the parties,



the **petitioner nos.3 and 4**, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Dinara P. S. Case No.499 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

10. The application stands allowed.

11. So far as petitioner no.5 is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.5.

12. The prayer of the petitioner no.5 for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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