

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.10823 of 2026

Arising Out of PS. Case No.-445 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Shubham Kumar S/o- Mahesh Chandra Prasad Yadav @ Mahesh Chandra Pd.
Yadav R/o Village- Mustfapur, P.S.-Bibhutipur District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 24-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bibhutipur P.S. Case No. 445 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 308(2), 303(2) and 3(5) of the BNS and Section 27 of the Arms Act.

3. The allegation against petitioner is to assault informant and others during the occurrence causing head and bodily injuries which alleged to cause with intention to cause their death.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the parties are in enmical terms as prior to this occurrence, a case was lodged by petitioner side against informant and others. It is submitted that though petitioner specifically alleged to assault on the head of the brother of the informant, but the allegation of repeated assault is not available without any intervening circumstances and moreover



upon medical examination nature of injury was found simple prima-facie negating intention to cause death of the brother of the informant as alleged. While concluding argument it is submitted that petitioner found involved in three more cases, where he is in on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as assault alleged to be caused upon the head of the brother of informant, prima-facie not appears repeated without having any intervening circumstances, coupled with the fact injury also found simple in nature, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Rosera, Samastipur/concerned Court, where the case is pending in connection with Bibhutipur P.S. Case No. 445 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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