

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11541 of 2026

Arising Out of PS. Case No.-164 Year-2024 Thana- GHOGHARDIHA District- Madhubani

1. Ashutosh Kumar S/o Surendra Yadav R/o Village- Basuari, P.S- Ghoghardiha, Dist- Madhubani.
2. Suresh Kumar Yadav S/o Late Ramchandra Yadav R/o Village- Basuari, P.S- Ghoghardiha, Dist- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neha Kumari Singh, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 27-04-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. At the outset learned counsel appearing on behalf of the petitioners submitted that the petitioner no.2 has already been arrested during the pendency of the present petition.

3. The petitioner no.1 seeks pre-arrest bail in connection with Ghoghardiha P.S. Case No. 164/2024 registered for the offence(s) punishable under Sections 126(2),115(2),118(1),109,303(2),352,351(2),3(5), of the BNS.

4. As per the allegation made in the FIR, while the informant's son was working at his Airtel Customer Service Centre, the petitioners along with other accused persons



allegedly arrived, abused and assaulted him with the butt of firearms causing serious head injuries and also assaulted and threatened the informant and others, thereafter, the injured was taken for treatment and the present case was instituted.

5. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has falsely been implicated in the present case. The allegations levelled in the FIR are omnibus and the injury, as alleged, is simple in nature. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, **the learned District Court is directed to call for the final opinion of the doctor in respect of the injury report of the injured persons and if it is found that the same is simple in nature, then in that case, the petitioner no.1, above named, is directed to be released on pre-arrest bail** in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of learned District Court where the case is pending/ Concerned Court in connection with Ghoghardiha P.S. Case No. 164/2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is also directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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