

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11209 of 2026

Arising Out of PS. Case No.-99 Year-2025 Thana- Bathnaha District- Araria

1. Bharat Das @ Bharat Tatma S/o- Late Jhameli Das R/v- Jimrahi, W.No-2, Ps- Bathnaha Dist- Araria
2. Dharendra Das @ Dhrendra Kumar Das S/o- Bharat Das R/v- Jimrahi, W.No-2, Ps- Bathnaha Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Bathnaha P.S. Case No.99 of 2025 under Sections 115(2), 126(2), 118(1), 117(2), 303(2), 76, 352, 351(2) and 3(5) of the BNS.

3. As per the prosecution, the FIR has been lodged against 9 named accused persons including the petitioners with allegation that petitioner No.1 has assaulted the informant's *Samdhi*, due to which fracture took place on his head and there is specific allegation against petitioner No.2 of assault to the



informant's brother due to which injury has been caused.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that there is case and counter-case for the same date and place of occurrence. He further submits that from the FIR, it becomes crystal clear that the date of occurrence is 03.10.2025 whereas FIR has been lodged on 09.10.2025. He further submits that both are resident of same village and due to old enmity, the present case has been lodged.

5. Counsel further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them. He further submits that injury report is also on record in which injuries are simple in nature.

6. Counsel submits that the criminal antecedent of the petitioners is clean.

7. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is case and counter-case from both sides. It is also true that injury caused by petitioner No.1 is simple in nature, but petitioner No.2 has caused grievous injury.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner No.1



namely, Bharat Das, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Araria in connection with Bathnaha P.S. Case No.99 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. So far as the petitioner No.2, namely, Dhirendra Das, is concerned, this Court is not inclined to grant anticipatory bail to the petitioner No.2, therefore the bail application of the petitioner No.2 is hereby rejected.

(Dr. Anshuman, J)

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