

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15044 of 2026

Arising Out of PS. Case No.-135 Year-2025 Thana- ASANWA District- Siwan

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1. Rajan Kumar @ Rajan Gond Son of Mokhtar Gond @ Mukhtar Gond
 2. Mokhtar Gond @ Mukhtar Gond Son of Radhamohan Gond
- Both are resident of Village - Majhwalia, PS -Asawan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-03-2026 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Asawan P.S.Case No.135 of 2025, registered for the offences
punishable under Sections 126(2), 115(2), 109(1), 303(2), 352,
351(2) and 3(5) of BNS.

3. As per the allegation made in the FIR, all the
accused persons including the petitioners assaulted the
informant and his family members, causing injuries to them.

4. Learned counsel appearing on behalf of the
petitioners submitted that the specific allegation against the
petitioner no.1 (Rajan Kumar @ Rajan Gond) is that he
assaulted by means of 'bamboo' on the head of the informant,



who sustained injuries but the injuries are simple in nature. So far as petitioner no.2 (Mokhtar Gond @ Mukhtar Gond) is concerned, general and omnibus allegation has been levelled against him that he had participated in the alleged commission of the crime. Petitioners have clean antecedent. Learned counsel further submitted that both the parties are of same village and the dispute between them is from earlier. On the above backgrounds of the case, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the the FIR, I find that general and omnibus allegation has been levelled against the petitioner no.2 (Mokhtar Gond @ Mukhtar Gond), who 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM III, Siwan/concerned court, in connection with Asawan PS Case No.135 of 2025, subject to conditions as laid down under



Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the criminal antecedent of the petitioner no.2 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.

8. So far as petitioner no.1 (Rajan Kumar @ Rajan Gond) is concerned, he had assaulted on the head of the informant by means of bamboo, causing him injuries and the said injury as per the opinion of the Doctor is scalp deep injuries and it is on the vital part of the body. I am not inclined to enlarge the petitioner no.1 on pre-arrest bail.

9. The present bail application is accordingly disposed of.

(Purnendu Singh, J)

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