

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17459 of 2026

Arising Out of PS. Case No.-195 Year-2025 Thana- BELHAR District- Banka

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Fuchan Mishra @ Udaykant Mishra @ Uday @ Phucho Mishra S/o Late
Pachu Mishra @ Panchu Mishra Resident of village- Tarimanjhgany, police
station- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Balram Kapri, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-03-2026 Heard the parties.

2. The petitioner is apprehending arrest in connection with Belhar P.S. No. 195 of 2025 for offences alleged under sections 126(2), 115(2), 110, 352, 351 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 lodged on 29.06.2025 by the informant, Anmod Mishra.

3. As per the prosecution story, the informant alleged that on the point of tying the cattle near the door, the dispute arose and led to this petitioner assaulting the informant on the head with 'khanti' causing injury. They further threatened of dire consequences and the accused persons also attempted to outrage the modesty of the lady members. This led to the FIR.

4. Learned counsel for the petitioner submits that



there is case and counter case, scuffle took place which has been exaggerated, the injury has been found to be simple in nature.

5. Learned APP opposes the prayer concedes that the injury as reflect in Annexure-02 shows that it is simple in nature.

6. Considering the aforesaid facts as also that there is case and counter case, both sides have resorted to assault, the petitioner will have to face the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Belhar P.S. No. 195 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;



(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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