

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16390 of 2026

Arising Out of PS. Case No.-413 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Bipin Kumar Son of Suresh Mahto Resident of Village- Alampur Dih, Ward
No. 13, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Kunwar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bibhutipur P.S. Case No. 413 of 2025 registered for the alleged offence under Sections 329(4), 126(2), 115(2), 74, 109(1), 351(2), 352, 303(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner and other co-accused persons came to the doors of the informant and assaulted the informant, his wife and also his mother. Allegation against the petitioner and co-accused Vikash Kumar is of assaulting the mother of the informant with sharp weapon causing injury in her head and the right thumb.

04. Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. The allegation against the petitioner and other co-accused persons is of abusing the informant and allegation of assault on the informant is specific against co-accused Suresh Mahto, Sunita Devi and Kamaljeet Kumar. The specific allegation against this petitioner and co-accused Vikash Kumar is of giving sharp weapon blow to the mother of the informant but the injury report of the mother of the informant shows a lacerated wound of size 1"x ½"x ¼" on right hand (thumb). Though there is complaint of swelling of left frontal head, only an extra cranial scalp swelling was seen in the left frontal region and no significant abnormality was observed in brain parenchyma. This falsifies the allegation against the petitioner and co-accused Vikash Kumar that they assaulted the mother of the informant with sharp weapon. There is no other allegation against this petitioner. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non serious nature of allegation against the petitioner and also considering the possibility of false accusation, let the petitioner



above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rosera, Samastipur/court concerned in connection with Bibhutipur P.S. Case No. 413 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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