

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18710 of 2026

Arising Out of PS. Case No.-329 Year-2025 Thana- NARDIGANJ District- Nawada

1. Radhey Saw Son of Late Lala Saw @ Lalo Saw Resident of village - Buchchi, P.S.-Nardiganj, District- Nawada.
2. Pratik Kumar Gupta @ Gyan @ Pratik Raj Son of Kisun Saw Resident of village - Buchchi, P.S.-Nardiganj, District- Nawada.
3. Dhiraj Kumar Son of Gunni Saw Resident of village - Buchchi, P.S.-Nardiganj, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, A.P.P.
For the Informant	:	Mr. Rahul Singh, Advocate
	:	Mr. Adarsh Parasar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. Petitioners seek bail in connection with Nardiganj P.S. Case No. 329 of 2025 for the offences punishable under Sections 126(2), 127(2), 109, 351(2), 352, 118(2), 74, 191(1), 192, 190 and 191(3) of BNS, 2023.

3. The prosecution case, in brief is that on 05-09-2025 when the informant's son namely; Abhimanyu @ Gorelal Kumar was going to the market by motorcycle, on the same time accused Pratik Sao was returning to the village and dashed each



other at village Abdulpur Pariya during crossing. When informant's son was sitting at village then Pratik Kumar @ Gyan started abused and assaulted by means of lathi and fist and threatened to kill. After that a Panchayati was convened in the meantime all accused persons came with lathi, danda and iron rod and assaulted informant's second son namely; Bittu Kumar due to which 5 to 6 persons were injured. It is further alleged that informant's son was referred to Pawapuri Hospital for treatment. On halla accused persons fled away.

4. Learned counsel for the petitioners submits that although the petitioners are named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or overt act against any of the accused persons including the petitioners. It is next submitted that the allegations leveled against the accused persons including the petitioners are general and omnibus in nature. He further submits that the police after investigation submitted charge sheet and petitioner nos. 1 and 2 are in custody since 24.12.2025 and petitioner no. 3 is in custody since 10.12.2025. He further submits that similarly situated, co-accused persons, namely, Ashok Sao and Deepak Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 03.04.2026 passed in Cr. Misc. No.



19570 of 2026 and Vicky Kumar, Niraj Kumar and Banti Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 12.01.2026 passed in Cr. Misc. No. 88879 of 2025 .

5. Learned Additional Public Prosecutor for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that petitioner no. 1 has antecedent of six cases other than the present case but fairly submits that petitioner is on bail in five cases and in one case he has been acquitted, petitioner nos. 2 has antecedent of four cases out of which he is on bail in two cases and in other two cases he has been acquitted and so far as petitioner no. 3 is concerned, he has antecedent of one case on which he is on bail.

6. Considering the aforesaid facts and circumstances and that similarly situated co-accused persons have been granted bail and the fact that there is no specific allegation of assault against any of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Nawada in connection with Nardiganj P.S. Case No. 329 of 2025, subject to the following conditions:-

- i. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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