

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18551 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- RAJAOLI District- Nawada

1. Niranjana Kumar @ Chhotu Mistri S/O Ganesh Mistri (S/O Chhotu Mistri, in I.O. wrongly typed) Resident of village - Hardiya, P.S. - Rajauli, District - Nawada
2. Bishnu Kumar S/O Ganesh Mistri Resident of village - Hardiya, (Baudhikala as per FIR) P.S. - Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Raj Kumar, learned counsel for the petitioners and Mr. Awadhesh Kumar Singh, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 03.01.2026 in connection with Rajauli P.S. Case No. 01 of 2026, F.I.R. dated 02.01.2026 registered for the offence punishable under Section 115(2), 126(2), 117(2), 109, 303(2), 74, 351(2), 352, 3(5) of BNS, 2023.

3. Allegation against the petitioners is that they have assaulted to the brother of the informant Sanni Kumar on his head and waist as a result of which he was badly injured.

4. Learned counsel appearing for the petitioners



submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against petitioner No.2 rather there is general and omnibus allegation against him and as per allegation against petitioner No.1 is concerned that he has assaulted to the brother of the informant on his waist, although the brother of the informant has received the injury but the injury is simple in nature and the petitioners are in custody since 03.01.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that the petitioners are named in the FIR and specific allegation against them and apart from that, petitioners carry one more case other than the present one but fairly submits that they are on bail in the said case, as mentioned in paragraph-3 of the bail petition.

6. Considering the aforesaid fact, 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 learned C.J.M., Nawada in connection with Rajauli P.S.Case No.01 of 2026, with 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 tamper 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)

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