

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22321 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- DIDARGANJ District- Patna

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1. Chintu Kumar S/O Rajesh Singh R/O Village - Jiwanchak, P.S - Didarganj, Dist - Patna
 2. Pinku Kumar S/O Rajesh Singh R/O Village - Jiwanchak, P.S - Didarganj, Dist - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Didarganj P.S. Case No.346 of 2025, F.I.R dated 21.10.2025, registered for the offences punishable under Sections 115(2), 126(2), 191(2), 109, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 21.10.2025, Golu Kumar reported to Didarganj Police Station that on the night of 20.10.2025, he, his brother Akshay Kumar, and neighbour Raushan Kumar objected to some persons gambling in their village. This led to a violent altercation where several



named individuals assaulted them—Aman Kumar struck Golu on the head with a stick, others injured Akshay Kumar, and Pinku Kumar and Chintu Kumar assaulted Raushan Kumar, causing finger injuries. The fight stopped after villagers intervened, and the injured were treated at a government hospital. The next day, while submitting a complaint at the police station, the accused again abused them, and Aman Kumar allegedly threatened them with a pistol. The informant's side managed to snatch the pistol, after which the accused fled. The informant expressed fear, and the police later arrived and took possession of the weapon and a mobile phone.

4. Learned counsel for the petitioners submits that there is case and counter case for the same incident and though there is specific allegation against these petitioners of having assaulted the informant but the injuries sustained by the informant are found to be simple in nature, which would be evident from the order impugned. It has further been submitted that the petitioners undertakes not to indulge in any offence of similar nature in the future and that, upon verification, if it is found that the allegations are true, liberty may be granted to the Police officials/ informant to take steps for cancellation of the bail bonds.

5. Learned APP for the State as well as learned counsel



for the informant opposes the prayer for anticipatory bail application and on being confronted with the regard to the nature of injury sustained by the informant, learned counsel for the informant has admitted the factual position of the injury on record and he submits that the petitioners may be directed to maintain peace and harmony.

6. Considering the aforesaid facts and circumstances that there is case and counter case and the allegation of assault is being made by these two petitioners against the informant and the injuries sustained by the informant are simple in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna City, in connection with Didarganj P.S. Case No.346 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-



(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

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

(Ajit Kumar, J)

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