

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22782 of 2026

Arising Out of PS. Case No.-456 Year-2025 Thana- BATHNAHA District- Sitamarhi

Pintu Kumar, Male, aged about 28 years, Son of Late Kapil Rai @ Kapaldev Ray, Resident of Village - Pandaul, P.S. - Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Bathnaha P.S. Case No. 456 of 2025 instituted for the offences punishable under Sections 126(2), 127(2), 115(2), 109(1), 352 and 3(5) of the BNS.

3. Allegation against the petitioner is to have assaulted by means of back portion of the spade upon the head of the informant due to which he sustained injuries.

4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case due to property dispute. He submits that the petitioner and informant are pattidars and there is case and counter case attributed between the parties. He further submits that the informant had taken electric connection from



the electric pole of the the petitioner for irrigation purpose due to which the petitioner objected and the informant become aggressive and altercation took place. He next submits that the occurrence took place on 02.09.2025 but the present FIR has been lodged on 20.09.2025 after a long delay and there is no any plausible explanation in this regard. He lastly submits that petitioner has got clean antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-XV, Sitamarhi dated 18.02.2026, it appears that only on the basis of written report of the informant, FIR has been registered under Sections 126(2), 127(2), 115(2), 109(1), 352 and 3(5) of the BNS and the allegation against the petitioner is that he assaulted by means of back portion of the spade upon the head of the informant due to which he sustained injuries. On perusal of the injury report as produced on behalf of the petitioner, it also appears that there are insized wound on (L) parietal occipital region size 3"x1/2" and 2"x1/2" scalp deep, cause of injury is sharp object and



nature is simple, so considering all these aspects of the case specifically nature of injuries and nature of weapon used in the occurrence and submission of learned counsel for the petitioner, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, let the petitioner above named in the event of his arrest or surrender before the trial Court within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 456 of 2025, subject to the conditions laid down in Section 482(2) of the BNSS.

(Ramesh Chand Malviya, J)

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