

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21613 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- AWTARNAGAR District- Saran

1. Suman Kumar @ Suman Kumar Ray @ Suman Kumar Rai S/O Late Lakshman Prasad @ Late L.P. Roy R/O Village- Ramgadha, P.S- Awatar Nagar, District- Saran.
2. Punam Devi @ Poonam Devi W/O Suman Kumar R/O Village- Ramgadha, P.S- Awatar Nagar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ankur Prakash Sinha, Advocate
For the State	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-04-2026 Heard Mr. Ankur Prakash Sinha, learned counsel for the petitioner and learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Awtar Nagar P.S. Case No. 05 of 2026 registered for the offence under Sections 126(2), 115(2), 118(1), 109, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 02.01.2026 by the informant, Abhay Kumar Rai.

3. As per the prosecution story, the allegation is that due to land dispute the accused assaulted the informant. Suman Kumar gave farsa blow to the informant causing injury and when Bhim Kumar came to rescue, he was also given iron rod blow. They were shifted to Sadar Hospital, Chapra which



followed the F.I.R..

4. Learned counsel for the petitioners submit that though there is case and counter case, the case of the petitioner being earlier one, both sides suffered injuries, the injury report is part of the record which shows it to be simple in nature. The last submission is that they do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that though the injury is simple in nature, the allegation of assault is there.

6. Considering the submissions of the parties as also the materials on record beside the fact that they do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Saran at Chapra, in connection with Awtar Nagar P.S. Case No. 05 of 2026 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official



document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners 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 bail bond by the Trial Court itself;

(iv) the petitioners 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;

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

(Rajiv Roy, J)

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