

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22406 of 2026

Arising Out of PS. Case No.-59 Year-2025 Thana- GAMAHARIYA District- Madhepura

Ashish Kumar, aged about 21 yeas, Male, son of Ghanshyam Das, resident of village- Lalu Token Piprahi, Ward No. 01, P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pooja Prasad, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(1), 115(2), 118(1), 110, 352(5) and 3(5) of the BNS.

3. Allegation against the petitioner and other two unknown persons is that they came on a motorcycle and attacked the son of the informant by means of iron rod causing injury on the head of the informant and also threatened to kill the son of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that the first information report has been lodged after



one month and six days but there is no plausible explanation has been given by the informant as stated in para-8 of the petition and petitioner has got clean antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petition and submits that there is direct allegation against the petitioner for assaulting the son of the informant, due to which, head injury fracture on skull of injured Arun Yadav.

6. On perusal of the first information report and impugned order dated 17.10.2025, it appears that the doctor has found head injury fracture on skull of injured Arun Yadav which is grievous in nature and several witnesses have supported the case of the prosecution vide para nos.3, 4, 7 and 8 and further in case diary of para-34 shows the production of the used motorcycle as alleged in the commission of the occurrence, so I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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