

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23697 of 2026

Arising Out of PS. Case No.-77 Year-2025 Thana- SIMRA District- Aurangabad

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Sudesh Kumar Singh @ Sundesh Singh @ Sudesh Singh Son of Late Ugrah Singh Resident of Village - Bairawn, P.S.- Simra, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Simra P.S. Case No.77 of 2025, F.I.R dated 24.12.2025 registered for the offences punishable under Sections 109(1), 126(2), 115(2), 352, 351(1) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 23.12.2025, while he and his brother Avinash Kumar Singh were sowing wheat in their field, eight named accused persons, including the petitioner, attacked them with weapons like garasa and rods. His brother was repeatedly assaulted on the head, and when he tried to protect himself, his hand was cut by a garasa. On hearing the commotion, villagers gathered, causing the accused to flee. It



was also stated that there had been a prior incident in which the accused had assaulted them, leading to a case and their imprisonment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the allegation of assault, as per the F.I.R., is altogether against 8 persons but there is nothing specific against this petitioner and the injuries sustained by the informant are found to be simple in nature.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is nothing specific against this petitioner and the injuries sustained by the informant are found to be simple in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 C.J.M., Aurangabad, in connection



with Simra P.S. Case No.77 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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