

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27058 of 2026

Arising Out of PS. Case No.-17 Year-2026 Thana- MANIHARI District- Katihar

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Amit Kumar Singh S/O Pandav Kumar Singh @ Pandav Singh Resident of
Village- Navabganj, P.S- Manihari, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mandal, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest

in connection with Manihari P.S. Case No. 17 of 2026

registered for the offences punishable under Sections

126(2), 115(2), 109(1), 352, 351(2), 303(2), 3(5) of

Bhartiya Nayay Sanhita 2023.

3. As per FIR, petitioner alleged to assault

informant and others alongwith co-accused persons, causing

head and bodily injuries, where occurrence alleged to be

taken place arising out of previous enmities.

4. It is submitted by learned counsel appearing on

behalf of the petitioner that the occurrence in issue is free



fight in nature, where both parties received injuries. It is pointed out that as occurrence was free fight, it can be safely said that petitioner was not under intention to cause death, as alleged. The allegation of assault is appearing very much general and omnibus in nature. It is submitted that upon medical examination, the nature of injury as found upon injured was simple in nature, which further negate the intention to cause death. While concluding argument, it is submitted that petitioner found involved in two more criminal cases, where he is on bail.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* occurrence is free fight in nature, for which the counter case was also lodged by petitioner's side, coupled with the fact that injuries as sustained by the informant during the occurrence upon medical examination found simple, *prima facie* negating intention to cause death, as alleged, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks



of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar/concerned Court, where the case is pending in connection with Manihari P.S. Case No. 17 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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