

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25506 of 2026

Arising Out of PS. Case No.-221 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Manoj Choudhary @ Manoj Kumar S/o Ganga Choudhary R/o Village- Sandalpur, Police Station-Sahebpur Kamal, District- Begusarai
 2. Pikku Kumar @ Pinku Kumar @ Pintu Kumar S/o Late Sulendra Choudhary R/o Village- Sandalpur, Police Station-Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Sahebpur Kamal P.S. Case No. 221 of 2021 lodged 25.08.2021, for the offences punishable under sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against four named accused persons including the present petitioners alleging that all the accused persons entered into the house of the informant, abused him and brutally assaulted him by means of an iron rod, as a result of which the informant sustained injuries on his head.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel further submits that the petitioners and the informant are agnates and for the same date and place of occurrence, the petitioners' side has lodged Sahebpur Kamal P.S. Case No. 220 of 2021 whereas the informant's side has lodged the present case being Sahebpur Kamal P.S. Case NO. 2020 of 2021. Learned counsel further submits that, during investigation, final form was submitted in favour of petitioner no. 1, whereas petitioner no. 2 was extended the benefit of Section 41A of the Code of Criminal Procedure (now Section 35 of the Bharatiya Nagarik Suraksha Sanhita). However, subsequently cognizance has been taken against both the petitioners. It is also submitted that the case diary has been called for and the injury report forms part thereof.

5. Learned APP for the State opposes the prayer for bail. However, he fairly submits that petitioner no. 2 has no criminal antecedent, the injuries found on the person of the informant are simple in nature and there exists a case and counter case arising out of the same occurrence.

6. In the facts and circumstances of the case, let the above-named petitioners be released on bail, in the event of



their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the learned Sub Judge-IV-cum-Additional Chief Judicial Magistrate-IV, Begusarai, in connection with Sahebpur Kamal P.S. Case No. 221 of 2021, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

Manshi/Ashwini

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