

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24987 of 2026

Arising Out of PS. Case No.-160 Year-2025 Thana- BISHANPUR District- Darbhanga

1. Manishankar Choudhary @ Manishankar Kumar, (Male), aged about 19 Years, Son of Raju Choudhary
2. Satyam choudhary @ Satyam Kumar Choudhary, (Male), aged about 22 years, Son of Vivekanand Choudhary, both are Resident of Village -Panchobh PS- Bishanpur District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shivendra Kumar Sinha, Advocate Mr. Mukesh Kant, Advocate Mr. Ranjeet Patel, Advocate Mr. Prashant Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-07-2026 Heard Mr. Shivendra Kumar Sinha, learned counsel appearing on behalf of the petitioners and Mr. Abhay Kumar Roy, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bishanpur P.S. Case No. 160 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 109(1), 303(2), 131, 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioners along with other co-accused, had allegedly brutally assaulted the victim, who is the son of the informant. Incident had taken place on 06.12.2025 and the FIR was lodged on 22.12.2025. They had



also took away the Splendor motorcycle of the son of the informant namely, BR07AW5168.

4. Learned counsel appearing on behalf of the petitioners submitted that there is not only delay in lodging of the FIR but the false implication of the petitioners in commission of alleged offence cannot be denied. Learned counsel further submitted that the victim had met with an accident and his motorcycle and mobile phone were lying on the roadside, which is also confirmed by the seizure list prepared on 22.12.2025. The petitioners are of tender age and they are pursuing their studies. On these grounds, learned counsel seeks that the petitioners having no criminal antecedent, be released on pre-arrest bail.

5. *Per contra*, learned A.P.P. for the State, referring to the case diary, submitted that the injury report suggests that the victim was brought to Darbhanga Medical College and Hospital on 16.12.2025. The time of injury has been assessed to be 5 p.m. and the victim was also examined on the same day i.e. 16.12.2025 at 05:40 p.m. The doctor has observed mild scalp swelling over right parietal bone and over frontal bone. Bony nasal septum is deviated toward left with bony spur (3mm) noted causing impingement on left inferior turbinate at the time



of preparation of injury report. X-ray report of chest and right arm was not available. He submitted that there is no question that police was not informed about the alleged incidence while the petitioners were being treated at D.M.C.H., Darbhanga. It appears that a formal FIR was also lodged by the informant at Bishanpur police station, out of which, the present bail application arises.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the records, I find that the present is not a case where the FIR has been lodged after much delay. The records reveal that the victim was taken to the hospital on the same day i.e. on 16.12.2025 when the accused persons, with a motive to kill, had chased and assaulted the son of the informant brutally at three different places by chasing him. The doctor has found mild scalp swelling over right parietal bone and over frontal bone, bony nasal septum is deviated toward left with bony spur (3mm) noted causing impingement on left inferior turbinate at the time of preparation of injury report. X-ray report of chest and right arm is not available. The motorcycle and mobile phone of the son of the informant were lying on the roadside of Panchobh Primary Health Care Centre, which is confirmed by the seizure list



prepared on 22.12.2025. Accordingly, I am not inclined to enlarge the petitioners on pre-arrest bail.

7. At this stage, learned counsel appearing on behalf of the petitioners submitted that petitioners are of tender age and they have just emerged as an adult and taking into account the long career, the petitioners may be given liberty to surrender before the learned District Court and seek regular bail.

8. Considering the aforesaid submission made on behalf of the petitioners, the petitioners, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court may consider to disposed of the bail application of the petitioners on the same day on the basis of material which has come in course of investigation.

9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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