

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26307 of 2026

Arising Out of PS. Case No.-8 Year-2025 Thana- AAYAR District- Bhojpur

1. Mithun Singh S/o Birbal Singh R/o Village - Ichhari, P.S - Aayar, District- Bhojpur
2. Birbal Singh @ Birendra Singh S/o Late Bhola Singh R/o Village - Ichhari, P.S - Aayar, District- Bhojpur
3. Ashok Singh S/o Late Bhola Singh R/o Village - Ichhari, P.S - Aayar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 16-07-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Aayar P.S. Case No.08 of 2025, F.I.R dated 18.01.2025 registered for the offences punishable under Sections 115(2), 126(2), 303(2), 109, 352, 109, 352, 351 and 3(5) of the Indian Penal Code / Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 16.01.2025 at about 9:00 A.M., the informant, Rajeshwari Devi, along with her elder brother Sudama Singh, went to a plot of land adjacent to their house to construct a boundary wall. Upon informing



their neighbours of their intention, the accused persons allegedly became enraged, abused them, and attacked them with lathis, dandas, and an iron rod. It is alleged that Mithun Singh assaulted Bipin Singh with an iron rod, causing a head injury; Ashok Singh and Birbal Singh assaulted Sudama Singh with lathis; the female accused assaulted Ajay Kumar with lathis and dandas; Ragini Devi snatched a gold necklace from the informant's brother; and Usha Devi, Rubi Devi, and Lakshmina Kuar assaulted the informant's daughter-in-law.

4. Learned counsel for the petitioners submits that there is a case and counter-case, and that both sides have sustained injuries. It is the case of the petitioners that the injuries alleged to have been sustained by the informant's family have been found to be simple in nature, whereas the injury sustained by the informant on his right hand has been classified as grievous, though, according to the petitioners, the right hand is not a vital part of the body. However, at this stage, on instructions, the petitioners propose to provide Rs.10,000/- as financial assistance towards the medical treatment of the injured person, who has sustained a bony fracture on his right hand. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned counsel for the informant has appeared



pursuant to the notice issued by this Court and does not object the proposal of financial assistance being offered by the petitioners to the injured persons to put at rest the dispute.

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

7. Considering the aforesaid facts and circumstances that there is a case and counter-case, and that both sides have sustained injuries and the injuries are found to be simple in nature and the petitioners have clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

8. Let the petitioners, above named, in the event of their 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 A.C.J.M.- 8th Ara, Bhojpur, in connection with Aayar P.S. Case No.08 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)

sharun/-

U		T	
---	--	---	--

