

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27778 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- DIDARGANJ District- Patna

Rahul Kumar son of Mantu Kumar @ Mantu Prasad, Resident of Village
-Nijampur, PS- Didarganj, Distt- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Didarganj P.S. Case No. 222 of 2025, dated 22.06.2025, registered for the offences punishable under Sections 126(2), 115(2), 109 and 74 read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, petitioner and other co-accused persons are alleged to have assaulted the informant, his sons and his wife. They are also alleged to have disrobed the wife of the informant and the co-accused sisters of the petitioner took away cash amounting to rupees eighteen thousand and some ornaments from the house of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. No occurrence in the manner as alleged has ever taken place. In fact, petitioner and informant are co-villagers and there is previous enmity between them on account of land dispute and for this reason informant has implicated the petitioner and his whole family in the present case. Though there is general and omnibus allegation of assault and other acts against the petitioner and his family members and the only specific allegation levelled against the petitioner is that he assaulted the informant with butt of pistol on back of his head, however injury report of the informant does not show any such injury and only one injury has been found on the informant which is a lacerated wound of size about 1 cm x 0.5 cm x skin deep above left eyebrow and the said injury is stated to be simple in nature caused by hard and blunt substance. It falsifies the allegation of assault by a number of persons including this petitioner and it also falsifies the allegation against the petitioner that he hit the informant on the back of his head with butt of a pistol as there is no injury on the back of head of the informant. Furthermore, all injured persons received injuries which are stated to be simple in nature. Petitioner is having clean antecedent.

5. Learned APP opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that there is non-specific allegation against the petitioner for any overt act and also considering the absence of injury attributed to the petitioner and further considering the possibility of false implication, let the petitioner, above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna, in connection with **Didarganj P.S. Case No. 222 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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