

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34046 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- SHEKHPURA District- Sheikhpura

1. Manoj Kumar @ Manoj Kumar Saw S/o Hazari Saw R/o Village - Kamasi, P.S. - Sheikhpura, Dist. - Sheikhpura.
2. Mikku Kumar @ Miku Kumar S/o Balmiki Saw R/o Village - Kamsi, P.S. - Sheikhpura, Dist. - Sheikhpura.
3. Saurav Kumar @ Saurabh Kumar S/o Satyendra Thakur R/o Village - Kamsi, P.S. - Sheikhpura, Dist. - Sheikhpura.
4. Janardan Thakur @ Janardan S/o Bajrangi Thakur R/o Village - Kamsi, P.S. - Sheikhpura, Dist. - Sheikhpura.
5. Nitish Kumar S/o Sanjay Sharma R/o Village - Kamsi, P.S. - Sheikhpura, Dist. - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 18-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Sheikhpura P.S. Case No. 01 of 2026 registered for the offences punishable under Section 126(2), 115(2), 352, 351(2), 3(5) of the B.N.S.

3. As per the prosecution story which has been lodged on the basis of the written statement of the informant before the Officer-in-Charge of the Sheikhpura P.S. to the effect that on



01.01.2026 at about 03.00 P.M., all the accused persons, who are the petitioners herein, started using filthy language and assaulting the informant and his family members with *lathi* and *danda* due to which all the six persons of the informant side suffered injuries.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that a counter case has also been lodged by the petitioner no. 1 bearing Sheikhpura P.S. Case No. 02 of 2026 under different sections of the B.N.S. against the informant and other injured persons. The petitioners and informant side are co-villagers and due to a free fight in between the parties, injuries have been sustained by both the sides. All the injuries sustained by the injured, are simple in nature, except one injury on the body of Md. Amjad, which has been found to be grievous in nature by the doctor, however, no repeated blow has been found to have been given. He further submits that the petitioner no. 1 has got one criminal antecedent bearing Complaint Case No. 1360 of 2015, in which he is on bail. So far as petitioner no. 2, 3, 4 and 5 are concerned, they have got clean antecedent.

5. The learned A.P.P. for the State opposes the prayer



for bail and submits that injuries suffered by one of the injured has been found to be grievous in nature.

6. Having considered the rival submissions and after going through the records, it appears that there was a free fight in between the parties, in which both sides sustained injuries. There is case and counter case and the petitioners and informant side are resident of the same village. The doctor has found one injury on the body of the one of the injured namely, Md. Amjad to be grievous in nature, although, no repetition has been found or alleges against any of the petitioners. As per the F.I.R. no specific allegation has been attributed against any of the accused persons, rather general and omnibus allegation are against all the accused persons. Considering the facts, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 01 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(i) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it



is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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