

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33918 of 2026

Arising Out of PS. Case No.-739 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Suddu Singh @ Suddu Kumar @ Pratyaksh Tyagi son of Dharmendra Kumar
@ Dharmendra Tyagi @ Dharmendra Resident of Belbanaa ward No 23
Town, PS -Motihari Town, Dist- Motihari (West Champaran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sn Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Motihari Town P.S. Case No.739 of 2025, F.I.R dated 01.08.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 31.07.2025, the informant had gone to Gayatri Mandir Chowk for breakfast and was eating bhuja in the field near Nagar Bhawan when the petitioner and other accused persons allegedly attacked him. It is



alleged that accused Lucky Kumar inflicted a knife injury on the informant's forehead, while the petitioner, namely Suddu Kumar @ Suddu Singh @ Pratyaksh Tyagi, inflicted a knife blow on his head. Another accused, Mohit Kumar, allegedly wrapped a gamcha around the informant's neck. Upon hearing the commotion, passersby reached the spot and rescued the informant.

4. Learned counsel for the petitioner submits that the allegation against this petitioner of having assaulted the informant, namely, Manish Kumar, with knife is false and does not corroborate with the F.I.R. and the injuries is said to have been caused by hard and blunt substance while the injuries are found to be simple in nature. It has further been submitted that a compromise has already been filed between the parties and they do not want to proceed with the litigation. Lastly, it has been submitted that the petitioner has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances that the injuries sustained by the informant does not corroborate the allegations levelled in the F.I.R., and the injuries are found to be simple in nature and the petitioner has no criminal



antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 Additional Session Judge – IV, East Champaran, Motihari, in connection with Motihari Town P.S. Case No.739 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)

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