

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35683 of 2026

Arising Out of PS. Case No.-459 Year-2024 Thana- BHAGWAN BAZAR District- Saran

1. Vishal Kumar Son of Ramnath Prasad R/O Station Road, behind Coolie Mandir, police-station- Bhagwan Bazar, District- Saran
2. AMIT KUMAR @ LADDU Son of Suraj Prasad R/O Station Road, behind Coolie Mandir, police-station- Bhagwan Bazar, District- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Raj Shekhar, Adv.

For the Opposite Party : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. Both accused/petitioners are named in the FIR

and apprehending their arrest in connection with Bhagwan

Bazar P.S. Case No.459 of 2024 registered under Sections

126(2), 115(2), 118(1), 117(2), 308(2), 303(2), 352 and

3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. The allegation against the petitioner is to

assault informant along with other co-accused persons

during the occurrence by using knife and iron rod causing

head and bodily injury, having intention to cause death of



informant, where the occurrence is alleged to be arising out of previous enmities.

4. It is submitted by learned counsel for the petitioners that the present false case was lodged in retaliation of the case lodged by petitioners on the same day for the occurrence which took in early morning at about 7:00 A.M, for which, Bhagwan Bazar P.S. Case No. 431 of 2024 was lodged. Arguing further, it is submitted that the allegation against these petitioners is to assault informant by using iron rod causing injury upon chest, but the doctor upon medical examination opined categorically that injury no. 3 was caused by sharp cut weapons and, therefore, taking note of these major contradiction, it can be safely arrived on the conclusion that the case of prosecution is doubtful. Petitioners claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that the injury report as available categorically suggest that ribs bone of informant, upon medical examination, found fractured and was opined grievous. It is submitted that the petitioners were specifically alleged to



assault on same body part of the injured informant.

6. In view of aforesaid factual submissions and by taking note of fact as petitioners specifically alleged to cause grievous injuries to the informant by means of iron rod, accordingly, the prayer of anticipatory bail of both above-named petitioners stand rejected.

(Chandra Shekhar Jha, J.)

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