

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36516 of 2026

Arising Out of PS. Case No.-176 Year-2026 Thana- KATEYA District- Gopalganj

Hadis Ansari @ Hadis Mian S/o Late Naubat Miyan Resident of Village -
Batal Chauraha, PS - Kateya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kateya P.S. Case No. 176 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 352 and 351(2)(5) of the BNS.

3. The allegation against petitioner is to assault informant and other family members by using iron rod etc., causing head and bodily injuries having intention to cause their death, where alleged occurrence took place in the background of land dispute.

4. It is submitted by learned counsel appearing on behalf of the petitioner that present occurrence appears free fight in nature, where both parties received injuries, therefore, it



cannot be said that petitioner was under intention to cause death of the injured informant and other injured persons. It is also submitted that petitioner's side also received head and other bodily injuries for which a police case has also been registered as Kateya P.S. Case No. 179 of 2026. Explaining injury, as alleged to be caused during occurrence upon medical examination found simple in nature and, therefore, merely on the ground as same was caused on vital part i.e., head it cannot be said that petitioner was under intention to cause death. It is submitted that there are several factors required to make out a prima-facie case under Section 109(1) of the BNSS like, nature of weapons, manner of assault, pre and post conduct of accused during the occurrence etc. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **State of Himachal Pradesh Vs. Shamsheer Singh, [2025 SCC OnLine 807]**. While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as occurrence prima-facie appears free fight in nature, where both parties received injuries coupled with



fact that nature of injuries upon medical examination appears simple in nature, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM VI, Gopalganj/concerned Court, where the case is pending in connection with Kateya P.S. Case No. 176 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

