

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40915 of 2026

Arising Out of PS. Case No.-66 Year-2026 Thana- PHULPARAS District- Madhubani

1. Deonandan Kamat Son of Late Prem Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.
2. Siya Devi Wife of Deonandan Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.
3. Parikshan Kamat @ Mala Son of Deonandan Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.
4. Koushaki Kumari @ Koushaki Devi Wife of Parikshan Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.
5. Neha Kumari @ Neha devi Wife of Pradeep Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.
6. Pradeep Kamat Son of Deonandan Kamat Resident of Village- Dharmdiha, P.S.- Phulparas, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Phulparas P.S. Case No. 66 of 2026 registered for the offence punishable under sections 115(2), 126(2), 118(1), 109(1), 76, 352, 303(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, petitioners alleged to assault the informant and other family members by using lathi, rod etc.



causing head and bodily injury with intention to cause their death, where the alleged dispute arising out of neighbourhood dispute and differences.

4. Learned counsel appearing on behalf of the petitioners submitted that the occurrence was free-fight in nature, where both parties received injury and for the same set of occurrence, petitioners' side had also lodged a case, which has been registered as Phulparas P.S. Case No. 65/2026, as lodged by petitioner no. 1 prior to lodging this case and, to counter the said case lodged by petitioner no. 1, the present case was lodged raising false allegation.

5. It is further submitted that the injury as alleged to be caused by petitioners, upon medical examination, found simple in nature, negating intention to cause death. All petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of the fact as occurrence in issue was free-fight in nature, where both parties received injury, coupled with the fact that injury alleged to be caused by petitioners, upon medical examination, found simple in nature, accordingly, all above-



named petitioners, who are men of clean antecedent, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 2nd, Jhanjharpur, Madhubani/concerned court in connection with Phulparas P.S. Case No. 66 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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