

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39377 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- Balwahat District- Saharsa

Adarsh Kumar @ Adarsh Kumar Singh S/o Mithlesh Kumar Singh @
Mithilesh Kumar Singh @ Mithlesh Singh @ Mithilesh singh Resident of
Village - Teghra Ward No. 03, P.S.- Balwahat, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Balwahat P.S. Case No. 7 of 2026, registered under
Sections 126(2), 115(2), 308(2), 118(1), 117(2), 303(2), 352,
351(2), 3(5) of the BNS 2023.

3. As per the prosecution story, which has been
lodged on the basis of the written report submitted by the
informant to the effect that on 31.12.2025 at around 14:00 hours
while he went home from his shop after leaving his Masson
namely Bittu Kumar at the shop. When he returned at about
16:30 hours, he found that the petitioner along with four other
persons were assaulting said Bittu Kumar with rod and fist.



When the informant and his brother tried to stop them, the petitioner told him that if he wanted to run the shop, he will have to give Rs. 5000/- per month as *Rangdari*. When the informant and his brother refused to do so, the petitioner herein assaulted the brother of the informant with a knife on his ear, due to which, he sustained injury and after that all the accused persons, including the petitioner started assaulting the brother of the informant and the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and no such occurrence has taken place. He further submits that the allegation against the petitioner is of assaulting brother of the informant with a knife on the back of his ear. He further submits that the petitioner and the informant are co-villagers and neighbours, and that, due to an old dispute between the parties, the present First Information Report has been lodged. He further while referring to the injury reports annexed as Annexure-P/2 and Annexure- P/2/1 submits that the injuries sustained by the brother of the informant and the informant have been found to be simple in nature, except injury no. 2 on the body of the brother of the informant, which has been found to be grievous in nature, however, the same has been found to be caused by hard and blunt substance. He further



submits that the petitioner has got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner and submits that the doctor has opined the injury no.2 to be grievous in nature and has found from the report of the Sadar Hospital that fracture of left parargaphic region of mandible and fracture of mandible condyle with displacement.

6. Having heard the learned counsel for the parties and after considering the rival submissions, it appears that the petitioner along with other co-accused assaulted the brother of the informant and the informant with a knife and rod, due to which both of them sustained injuries. The doctor found the injury no. 2 on the body of the brother of the informant to be grievous in nature and on the left side of mouth.

7. Considering the nature of injury, this Court is not inclined to grant privilege of anticipatory bail to the petitioner and the same is accordingly rejected.

(Ritesh Kumar, J)

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