

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38575 of 2026

Arising Out of PS. Case No.-63 Year-2026 Thana- PHULWARIA District- Begusarai

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Moti Singh S/O Late Ramkhelawan Singh @ Late Ramkhelaban Singh R/O
Village- Shokahra-02, Ward No. 02, Barauni, PS- Phulwaria(Phulwariya),
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

learned counsel for the State.

2. The petitioner apprehends arrest in connection with
Phulwaria (Phulwariya) P.S. Case No. 63 of 2026 registered for
offences under Sections 126(2), 115(2), 109 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner, along
with others, assaulted the informant's son and also the informant
with an iron rod and bricks, causing injuries to him, as a result
of which the informant became unconscious.

4. Learned counsel for the petitioner submits that the
petitioner is quite innocent and has not committed any offence.
It is further submitted that the informant is the petitioner's own
brother and there is no specific allegation of assault against the
petitioner. It is also submitted that the injury attributed to the



petitioner has been found to be simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, the relationship between the parties and the nature of injury, this application for anticipatory bail stands allowed.

7. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Phulwariya @ Phulwaria P.S. Case No. 63 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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