

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40613 of 2026

Arising Out of PS. Case No.-119 Year-2025 Thana- GAIGHAT District- Muzaffarpur

1. Abhay Singh @ Abhay Kumar Singh S/o Fulo Singh R/o Vill- Sakarwara, P.S- Gaighat, Dist- Muzaffarpur
2. Vijay Singh @ Vijay Kumar Singh @ Vijay Kumar S/O Fulo Singh R/o Vill- Sakarwara, P.S- Gaighat, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Shri Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 08-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Shri Chandra Bhushan Prasad.
2. The Superintendent, SKMCH, Muzaffarpur along with the SHO and the Investigating Officer of case, in compliance of the order dated 07.07.2026, are present in the Court.
3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 303(2), 117(2) and 3(5) of the BNS.
4. Learned counsel appearing on behalf of the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he along with his son



at 9:30 p.m. were coming back home when near school petitioners along with five named accused in a drunken condition started demanding money for drinking, on objection petitioner no. 1 assaulted him by an iron rod causing injury on right eye, while petitioner no. 2 assaulted his son by a sharp edged weapon causing injury on head, further they snatched Rs. 3,600/- and chain from his neck and broke the mobile of his son, thereafter the injured were admitted in the PHC from where they were referred to SKMCH, Muzaffarpur and from there to IGIMS, Patna, further the doctor disclosed that eye of the injured cannot be treated.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that though informant alleges that petitioner no. 2 assaulted his son but there is no injury of the son on record but then fairly submits that informant suffered injury on eye.

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

7. On query of the court from the Superintendent, SKMCH, Muzaffarpur with regard to the nature of injury, the Superintendent, SKMCH submits that injury of the informant on



eye is opined to be grievous in nature but then fairly submits that there is no injury report of the son of the informant.

8. After hearing learned counsel of the parties the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no. 1, namely, Abhay Singh @ Abhay Kumar Singh.

9. However, the petitioner no. 2, namely, Vijay Singh @ Vijay Kumar Singh @ Vijay Kumar in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Gaighat P.S. Case No. 119 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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