

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39440 of 2026

Arising Out of PS. Case No.-109 Year-2025 Thana- Amhara District- Lakhisarai

1. Rusi Kumar @ Rustam Kumar S/o Varun Yadav R/o Village - Balgudar, P.S. - Lakhisarai, District- Lakhisarai.
2. Golu Kumar S/o Varun Yadav R/o Village - Balgudar, P.S. - Lakhisarai, District- Lakhisarai.
3. Prakash Yadav S/o Sharvan Yadav @ Shravan Gop R/o Village - Balgudar, P.S. - Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioners and
the learned APP for the state.

2. The petitioners apprehends their arrest in connection with Amahra P.S. Case No. 109 of 2025, for allegedly having committed offence under Sections 126(2), 115(2), 109, 74, 303(2), 351, 352(2) and 3(5) of the B.N.S.

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 the date of occurrence, all the accused persons started abusing the informant with regard to an altercation for parking the bike. All the accused persons are said to have



assaulted the informant with lathi, fists, slaps and bricks. It has been alleged that co-accused Sanni Kumar snatched gold chain of the informant and they also misbehaved with the family members of the informant.

4. The learned counsel for the petitioner submits that the petitioners are innocent and have not committed any offence. He submits that although the occurrence is said to have taken place on 18.10.2025, however the F.I.R. has been lodged on 20.10.2025 and no explanation whatsoever has been given from the same. He further submits that from perusal of the injury report of the informant, it would transpire that the injuries sustained by the informant have been found to be simple in nature. Further, for the same occurrence, Amahra P.S. Case No. 110 of 2025 has been lodged against the informant and his family members by the mother of the petitioner no.1. He further submits that some of the co-accused persons have been granted the privilege of anticipatory bail by the learned Hon'ble Single Judge of this Court vide order dated 28.01.2026 passed in Cr. Misc. No. 2871 of 2026. He further submits that the petitioners have got a clean antecedent.

5. Per contra, the learned APP for the state vehemently opposes the prayer for bail of the petitioners and



submits that from the injury report which has been annexed at annexure-2, to the present anticipatory bail application, it would transpire that one of the injured namely Sanni Kumar has sustained grievous injury and therefore the petitioners does not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that there was a free fight in between the parties for which case and counter case has been lodged. The side of the petitioners have also lodged a case, and both the parties have suffered injuries. Further, although one of the injured has suffered grievous injuries, however considering the fact, that the learned Co-ordinate Bench of this court has granted the privilege of anticipatory bail to six of the co-accused persons vide order dated 28.01.2026 passed in Cr. Misc. No. 2871 of 2026, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M-3rd, Lakhisarai in connection with Amahra P.S. Case No. 109 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the



criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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