

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43228 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- TATARPUR District- Bhagalpur

Gulshan Kumar, S/o Anil Mandal, R/o Village-Rekabganj, Police Station-
Tatarpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Tatarpur P.S. Case No.20 of 2026 registered for the
offences punishable under Sections 189(2), 189(4), 190,
191(3), 126(2), 115(2), 117(2), 109(1) and 303(2) of the
Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and
is in custody since 30.03.2026.

4. As per FIR, the petitioner along with other co-
accused are alleged to assault the informant and others,
causing head and bodily injuries, where alleged assault was
made with intention to cause death.



5. It is submitted by learned counsel that the occurrence was free fight in nature and, therefore, it can be safely said that the petitioner was not under intention to cause death. It is submitted that the allegation *qua* committing physical assault is appearing available against 14 accused persons including petitioner and same is very much general and omnibus in nature. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner claimed clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact, as the allegation *qua* causing physical assault is appearing very much general and omnibus against the petitioner, who is a man of clean antecedent, coupled with the fact that investigation of this case is already completed, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-XVI, Bhagalpur in connection with Tatarpur P.S. Case No.20 of 2026, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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