

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47531 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Golu Kumar @ Samod Kumar (Male), aged about 18 years, Son of Basant Ray @ Basant Prasad Yadav, Resident of Village- Nav Tol Taara, Ward No. 14, P.S.- Mohiuddinnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Shashi Kant, learned counsel appearing on behalf of the petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Mohiuddinnagar P.S. Case No. 50 of 2026, registered for the offence punishable under Sections 126(2), 115(2), 117(2), 303(2), 329(3), 324(3), 109(1), 352, 351(2), 351(3) and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioner along with other accused persons, with a common intention to kill, had allegedly assaulted the son of the informant by means of iron pipe on his head, which hit his left hand causing fracture.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is aged about 18 years and he is student. Due to enmity between the family, petitioner has been roped in the present case on the basis of false accusation. From the injury report, as has been recorded in the impugned order, it appears that the same is not on the vital part of the body. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State submitted that the very attempt to commit murder of the son of the informant is made out, as such, petitioner don't deserve to be released on pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that due to enmity between the family, petitioner has been roped in the present case on the basis of false accusation. From the injury report, as has been recorded in the impugned order, it appears that the same is not on the vital part of the body. Petitioner has clean antecedent I am of the opinion that petitioner, who is aged about 18 years having just emerged as an adult has, *prima facie*, made out a case to be released on pre-arrest bail.



7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on 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 Court where the case is pending, in connection with Mohiuddinnagar P.S. Case No. 50 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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