

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45255 of 2026

Arising Out of PS. Case No.-59 Year-2026 Thana- Mohanpur District- Purnia

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1. Ratan Kumar S/o Chamak Lal Singh Resident of Village - Rahi Tola, P.S.- Mohanpur, District - Purnea
 2. Ramawtar Singh S/o Ganesh Singh Resident of Village - Rahi Tola, P.S.- Mohanpur, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Mohanpur P.S. Case No. 59 of 2026 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 352, 351(2), 3(5) of BNS

3. As per FIR accused persons including petitioners alleged to assault informant and others causing bodily injuries where assault was made with axe, iron rod etc.

4. It is submitted by learned counsel appearing on behalf of the petitioners that occurrence was free fight in nature, where both parties received injuries, and for same



set of occurrence petitioner's side also lodged a case which was registered prior to this case as Mohanpur P.S. Case No. 58 of 2026. It is submitted that petitioner no. 1 was alleged to assault Ramchandra Singh during the occurrence where petitioner no. 2 was alleged to assault Raman Singh. It is pointed out that upon medical examination no visible injuries was noticed upon them rather swelling injury opined.

5. It is submitted that entire family members i.e., total of 17 were implicated with present crime in question with allegation that they collectively assaulted the informant and others. It is submitted that four person in total received injury from informant side during the occurrence, where upon medical examination only one injury was found which creates a doubt *prima-facie qua* allegation that 17 accused person collectively assaulted the informant and others. It is submitted that the present false case was lodged by informant in retaliation of the earlier case lodged by petitioner's side for the same occurrence. Petitioners claimed clean antecedent.

6. Learned APP opposes the prayer of bail.



7. In view of aforesaid factual submission and by taking note of fact as occurrence *prima-facie* appears free fight in nature, where nature of injury also not appears repeated in the background of the allegation that assault was collectively made by 17 known accused persons including petitioners, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM II, Purnea /concerned Court, where the case is pending in connection with Mohanpur P.S. Case No. 59 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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