

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47353 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- BARBIGHA District- Sheikhpura

1. Arun Kumar @ Arun Singh S/O Siyaram Singh Resident Of Village- Sarba, P.s.- Barbigha, District- Sheikhpura
2. Murari Kumar S/O Arun Kumar Resident Of Village- Sarba, P.s.- Barbigha, District- Sheikhpura
3. Rohit Kumar @ Malinga S/O Arun Kumar Resident Of Village- Sarba, P.s.- Barbigha, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioners and
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Barbigha P.S. Case No. 46 of 2026, for allegedly having committed offence under Sections 126(2), 115(2), 109(1), 352 and 3(5) of the BNS.

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, when the family members were sitting and sleeping in there Dalan, all the accused persons came variously armed and started using filthy



language against them. When the nephew of the informant objected to their behaviour, they, with an intention to kill the nephew of the informant, started assaulting him with iron rod. It has been alleged that petitioner nos. 2 & 3 assaulted nephew of the informant on his head, due to which he sustained injuries and 9-10 stitches were given. When the mother of the informant came to save the nephew of the informant, all the accused persons also assaulted her.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that no such occurrence has taken place and the petitioners and the informant are co-villagers and due to previous enmity, the present first information report has been lodged. He further submits that the nephew of the informant has sustained simple injuries. Further, so far petitioner no.1 is concerned, he has got one criminal antecedent while the petitioner no.2 has got five criminal antecedents and the petitioner no.3 has got three criminal antecedents. However, in all the cases, the petitioners are on bail

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that the petitioners have assaulted the nephew of the



informant on head and further, they have got criminal antecedents and therefore, they do not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that specific allegation of assault on the head of the nephew of the informant has been levelled against petitioner nos.2 and 3, however from the injury, which has been recorded in the order dated 04.04.2026 passed by the learned District and Additional Sessions Judge-II, Sheikhpura, it would transpire that although the nephew of the informant sustained injuries on his scalp reason, however the same has been found to be simple in nature, caused by hard and blunt substance. So far the petitioner no.1 is concerned, no specific allegation has been levelled against him. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, 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 S.D.J.M., Sheikhpura in connection with Barbigha P.S. Case No. 46 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:



(I) 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 their 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)

AjayMishra/-

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