

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46775 of 2026

Arising Out of PS. Case No.-71 Year-2026 Thana- KUSHESHWARASTHAN District-
Darbhanga

=====

Raju Safi, Male, aged about 57 years, Son of Pragas Safi @ Ram Prakash Safi, Resident of Village- Fakdoliya, P.S.- Kusheshwar Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2026 Heard Mr. Pankaj Kumar Jha, learned counsel

appearing on behalf of the petitioner and Mr. Nitya Nand

Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kusheshwar Asthan P.S. Case No. 71 of 2026
corresponding to G.R. No. 312 of 2026 , registered for the
offence punishable under Sections 115(2), 126(2), 117(2),
109(1), 76, 118(1), 351(2), 352 and 3(5) of the B.N.S.

3. As per the allegation made in the FIR, petitioner
along with other co-accused armed with rod and other weapons,
with an intention to kill, had assaulted the informant side.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. Both the parties were indulged into fierce-fight and the petitioner, in his self defence, may have caused injury to the persons of the informant, without intention. Injuries sustained by the informant side have been opined by the doctor to be simple in nature. There is case and counter case between the parties. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the FIR. General and omnibus allegation has been levelled against the petitioner. Both the parties were indulged into fierce-fight and the petitioner, in his self defence, may have caused injury to the persons of the informant, without intention. Injuries sustained by the informant side are found to be simple in nature. There is case and counter case between the parties. Petitioner has clean antecedent. I am of the opinion that petitioner 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Biraul, Darbhanga/ court concerned, in connection with Kusheshwar Asthan P.S. Case No. 71 of 2026 corresponding to G.R. No. 312 of 2026, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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)

Niraj/-

U		T	
---	--	---	--

