

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47852 of 2026

Arising Out of PS. Case No.-378 Year-2025 Thana- MOKAMAH District- Patna

Bir Kumar @ Biro Kumar S/o Adalat Rai Resident of Village-Mahadev,
Asthan Ward No-12, P.S-Mokama, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

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

2. The petitioner who apprehends arrest in connection with Mokama P.S. Case No. 378 of 2025 lodged on 24/09/2025, for the offences punishable under sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 352, 351(2) and 3 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against eleven named accused persons. All armed with Lathi, Danda, Iron rod and Cricket bat started assaulting informant's father causing serious injuries to him and they threw him at the Bank of river Ganga.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned Counsel further submits that there is no specific allegation of



assault against the present petitioner and he is only a member of mob. He further submits that other similarly situated accused person namely Lallan Kumar has been granted bail vide order dated 22.04.2026 passed in Criminal Miscellaneous No. 26619 of 2026.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering that there is no specific allegation of assault against the petitioner and the petitioner is merely a member of mob coupled with the fact that the FIR has been lodged at hearsay material, let the above-named petitioner be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Barh District- Patna, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

Manshi/Ashwini

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