

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49162 of 2026

Arising Out of PS. Case No.-347 Year-2025 Thana- GAYA MUFASIL District- Gaya

1. Manish Kumar S/o Satyendra Kumar R/o Village- Bisiyait, P.S- Muffasil, District- Nawada
2. Prince Kumar S/o Satyendra Kumar R/o Village- Bisiyait, P.S- Muffasil, District- Nawada
3. Dr. Mithilesh @ Mithilesh Kumar Chakravarti S/o Musafir Prasad R/o Village- Bisiyait, P.S- Muffasil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-07-2026 Heard Mr. Vishwa Ranjan Choudhary, learned counsel
for the petitioners duly assisted by Ms. Anuradha Bharti and
learned APP for the State, Mr. Jitendra Kumar Singh.

2. The petitioners are apprehending their arrest in connection with Gaya Muffasil P.S. Case No. 347 of 2025 for the offence under sections 126(2), 115(2), 303(2), 125, 352, 74 and 3(5) of the BNS lodged on 14.04.2025 by the informant, Sunita Kumari.

3. As per the prosecution story, the informant alleged that Satendra Kumar, his neighbour, on the issue of construction, after the abuse, assaulted the family members. The



allegation is that his two sons, Manish Kumar and Prince Kumar beside the wife and one Mithilesh assaulted causing injury to her husband and she also received injury in her hand. They also tried to outrage the modesty of the informant's minor girl. This led to the FIR.

4. Learned counsel for the petitioners submit that there is case and counter-case, admittedly, due to construction related issue, the assault took place and his family members too received injuries. Allegation is that Arjun Yadav and his family members including the others assaulted them. Dial 112 was called and only thereafter, the FIR. Further submission is that all the injuries have been found to be simple in nature and the petitioners do not have any criminal antecedent.

5. Learned APP opposes the prayer submitting that allegation of assault is against all the petitioners.

6. Taking into account the submissions of the parties as also that there is case and counter-case, the petitioners do not have criminal antecedent and the injuries have been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Gaya Ji in connection with Gaya Muffasil P.S. Case No. 347 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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