

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52776 of 2026

Arising Out of PS. Case No.-282 Year-2026 Thana- BIHTA District- Patna

1. Om Prakash Yadav S/o Mahendra @ Mahendra Yadav R/o - Pareav Pali Halt, P.S. - Bihta, Dist. - Patna.
2. Sunny Kumar S/o Om Prakash Yadav R/o - Pareav Pali Halt, P.S. - Bihta, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Abhigyan, Advocate
	:	Mr. Gaurav Kumar, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioners and
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bihta P.S. Case No. 282 of 2026, for allegedly having committed offence under Sections 126(2), 127(2), 115(2), 109, 117(2), 324(4), 303(2) 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 while his son Amrendra Kumar was returning home from Chennai with his brother Manish Kumar, all the accused persons, including the petitioners, who were sitting in the Lane, started assaulting his son. It has been alleged



that all the accused persons assaulted his son with stick and iron rod. Thereafter, the petitioners caught hold of the son of the informant and co-accused Ujala Kumar started assaulting with an iron rod, due to which his son sustained injuries on his head and his left hand got fractured. The petitioner no.2 took away Rs. 50,000/- from the pocket of his son and when the informant reached there to pacify the matter, the petitioner no.1 assaulted him on his head with an sharp cutting weapon.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He submits that for the same occurrence, the petitioner no.1 had earlier lodged Bihta P.S. Case No. 281 of 2026 against the informant and his family members and the present case is a counter blast of Bihta P.S. Case No. 281 of 2026. He further submits that the injured, including the informant, have been treated by the doctor, who found the injuries to be simple in nature. While referring to the injury report, which has been annexed as Annexure-P/3 to the present anticipatory bail petition, he submits that the informant has sustained simple injury and so far one injury i.e. injury no.1 is concerned, the opinion has been kept reserved by the doctor, however the same is on the right elbow. Similarly so far the injury sustained by



Manish Kumar is concerned, the same is found to be simple in nature except injury no.1 i.e. swelling on the right little finger and with regard to the same, the opinion has been kept reserved. Similarly, so far the injury sustained by Amarendra Kumar is concerned, the doctor has found one injury to be simple in nature, and with regard to the injury no.1, which is swelling on the right elbow, the opinion has been kept reserved. He further submits that the petitioners have got one criminal antecedent bearing Bihta P.S. Case No. 264 of 2026.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that specific allegation of assault has been levelled against the petitioners and so far the injuries are concerned, the opinion with regard to the injuries have been kept reserved and further, the petitioners have criminal antecedent against them.

6. Having heard the rival submissions and after going through the records, it appears that specific allegation of assault has been levelled against the petitioner no.1 on the head of the informant, however from the injury report, which has been brought on record by the petitioners along with the anticipatory bail petition, it would transpire that the treating doctor has found the injuries to be simple in nature, caused by



hard and blunt object. Injured Manish Kumar has been found to have sustained three injuries, out of which injury nos.1 and 2 have been found to be simple in nature and with regard to injury no.3 i.e. swelling on the right little finger, the opinion has been kept reserve by the doctor. The injury has been found on the right finger of the injured and the same is not on the vital part of the body. Similarly, so far the injury sustained by Amarendra Kumar is concerned, the opinion with regard to injury no.1 has been kept reserved, since the doctor has found swelling on the right elbow. Although, opinion has been kept reserved, however, the same is not on the vital part of the body. So far the other injury is concerned, the same has been found to be simple in nature. 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 A.C.J.M.-II, Danapur in connection with Bihta P.S. Case No. 282 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/-

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

