IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55054 of 2026

CNR No. BRHC010769162026

Arising Out of PS. Case No.-34 Year-2026 Thana- IMADPUR District- Bhojpur

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Mukesh Kumar Son of Late Ganardhan Singh Resident of Moap, Khurd Bazar, Tola, P.S.- Imadpur, District- Bhojpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Smita Shreeyash, Advocate
	:	Mr. Arbind Kumar Choudhary, Advocate
	:	Mr. Niraj Kumar Sharma, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Ashok Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 04-11-2026 Heard Mrs. Smita Shreeyash, learned counsel for the petitioner and Mr. Ashok Kumar Singh, learned counsel for the informant beside Mr. Bharat Bhushan, learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Imadpur P.S. Case No. 34 of 2026 registered for the offence under Sections 329(2), 191(2), 115(2), 109, 352, 351(2), 351(3) and 190 of the B.N.S., lodged on 12.04.2026 by the informant, Santosh Kumar Singh.

3. As per the prosecution story, the informant alleged that on 12.04.2026 when he was in his field, the accused persons came due to earlier land dispute and on the order of Ramesh Kumar, the allegation is that this petitioner thrice gave blow on

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the head causing injury to the informant. When the family members came to rescue, they too were assaulted. Later, they escaped which followed their movement to shifting to the hospital. This led to the F.I.R.

4. Learned counsel for the petitioner submits that there is case and counter, both sides have suffered, simple scuffle has been given the colour of assault, the injury as per the injury report shows it to be simple in nature and the petitioner do not have criminal antecedent. Last submission is that without accepting the allegation or outcome of the present petition, the petitioner intends to pay Rs.10,000/- to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned counsel representing the informant as also learned APP opposes the prayer submitting that though he has no criminal antecedent and counter case is also there but the fact remains that he had to go through the treatment and the F.I.R. shows that the several stitches is there on the head.

6. Learned counsel for the petitioner counters it and submits that though it is in the F.I.R., the injury report is mum about it.

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7. Considering the submissions of the parties as also that the injury has been found to be simple in nature, the petitioner do not have criminal antecedent, there is case and counter case, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- to the informant as undertaken by the learned counsel for the petitioner through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and the same shall be handed over to the informant after checking credentials.

8. Let the petitioner 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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Imadpur P.S. Case No. 34 of 2026 subject to the following conditions:-

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

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(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner 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 his/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

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