IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64775 of 2026

CNR No. BRHC010917122026

Arising Out of PS. Case No.-387 Year-2026 Thana- DHANARUA District- Patna

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Dharmendra Kumar S/O Ram Nath Prasad R/O Village- Tetri chak, P.S- Dhanarua, Dist.- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 27-10-2026 Heard Mr. Surendra Kishore Thakur, learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Dhanarua P.S. Case No. 387 of 2026, registered for the offences punishable under Sections 115(2), 126(2), 118(1), 118(2), 109, 303(2), 308, 74, 76 & 3(5) of the BNS.

3. On account of a dispute over drainage, it is alleged that the petitioner, armed with a lohbandi (a *lathi* having its upper portion made of iron), assaulted the informant on his head, due to which he sustained serious injuries. When the son of the informant came to rescue him, he was also assaulted by the petitioner along with others, resulting in a fracture injury to

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his hand. There are further allegations against the other accused persons of assaulting the informant and snatching of valuables.

4. Learned Advocate for the petitioner, referring to the materials available on record, primarily contended that the present complaint case, which has been later on sent to the concerned police station for registration of the FIR, is nothing but a counterblast to Masaurhi P.S. Case No. 354 of 2026, which has been instituted by the father of the petitioner. In the said incident, the father of the petitioner has sustained grievous injuries. The reason behind the false implication is nothing but a land dispute. Even if the allegation levelled against the petitioner is taken to be true for the sake of argument, the same was on account of a free fight. Moreover, the injuries which are allegedly sustained to the informant is reported to be simple in nature, whereas the son of the informant has sustained grievous injuries, but on the fingers, which are non-vital part. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioner has actively participated in the crime and author of a grievous injury.

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6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the inordinate delay in lodging of the FIR; besides the factum of case and counter-case as well as the nature of injuries on non-vital part and the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (SDJM), Masaurhi in connection with Dhanarua P.S. Case No. 387 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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