

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66897 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- ISUAPUR District- Saran

Panchu Thakur S/o Late Ram Chandra Thakur R/o Vill- Mahuli, P.S-
Ishuapur, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Ishuapur P.S. Case No. 139 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 118(1), 109(1), 352, read with Section 3(5) of the BNS, 2023.

3. While the dispute was being resolved in a *panchyati*, allegedly this petitioner started abusing and on protest, he assaulted the husband of the informant over his neck by means of *dab* due to which he sustained injury. In the meanwhile, when the cousin of the informant's husband came to his rescue, he was also assaulted by the petitioner over his head due to which he sustained head injury.

4. Learned Advocate for the petitioner submitted that allegedly the occurrence took place in the morning of



15.07.2025, but the present FIR came to be instituted on 17.07.2025. Moreover, the genesis of occurrence is a previous dispute which resulted into some scuffle leading to unfortunate injuries. The fair antecedent of the petitioner clearly suggests that he is not a man of criminal antecedent and the occurrence took place in a fit of rage, even if for the sake of argument, it is accepted that it is the petitioner, who assaulted the informant's husband and cousin the informant's husband. It is next contended that there is counter version of the present case being Complaint Case No. 1813 of 2025 instituted by the wife of the petitioner against the informant and others. 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 opposes the bail application and submits that the counter case is nothing but an after thought which was been instituted on 22.07.2025. Moreover, two persons have sustained injuries on account of the assault being made by the petitioner, out of which one of the injury has been found to be grievous in nature over the head of the cousin of the informant's husband.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note



of the specific accusation against the petitioner of causing assault and two of the persons , out of which one has sustained grievous injury, this Court is not acceded to the prayer for grant of anticipatory bail of the petitioner. Accordingly the same stands rejected.

7. However, if the petitioner surrenders within four weeks, the jurisdictional court shall consider the prayer for bail of the petitioner without being prejudiced by the order of this Court taking note of the aforesaid submissions led by the learned Advocate for the petitioner.

(Harish Kumar, J)

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