

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67265 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- RAMGARHWA District- East
Champaran

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1. Madhusudan Prasad S/o Late Kanti Prasad R/o Village - Bishambharpur, P.S - Ramgarhwa, District - East Champaran
 2. Anil Prasad S/o Late Kanti Prasad R/o Village - Bishambharpur, P.S - Ramgarhwa, District - East Champaran
 3. Aman Kumar @ Aman Kumar Shrivastwa S/o Anil Prasad R/o Village - Bishambharpur, P.S - Ramgarhwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 127(1), 115(2), 109, 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. The allegations in the First Information Report is that Madhusudan Prasad, petitioner no.1, had taken some amount as advance and on account of said transaction the accused persons indulged in abuse and assault causing injuries.

4. The learned counsel for the petitioners submits



that it would be apparent from the reading of the First Information Report that so far as the petitioners no. 1 and 2 are concerned, they are both senior citizens and they are said to be the order givers, while the allegation on petitioner no.3, Aman Kumar is that of assaulting the informant with *lathi*, while Kundan Kumar has been alleged to have assaulted with iron rod on the head of the informant. It has further been submitted that there was a case and counter case between the parties on the same date of the incident and there is no specific allegation of assault on any vital part even with regard to petitioner no.3. It has further been submitted that the informant has suffered only one incised injury, which is said to be simple in nature and that too is not corroborative of the allegation of assault by hard and blunt object.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that there is case and counter case between the parties and petitioners no. 1 and 2, being senior citizens, have only been alleged to be the order



givers and the allegation against petitioner no. 3 has not produced any injury to the informant, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ramgarhwa P.S. Case No. 178 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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