IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69029 of 2026

CNR No. BRHC010994482026

Arising Out of PS. Case No.-266 Year-2026 Thana- MANIHARI District- Katihar

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Prem Kumar Singh S/O Mahesh Singh R/V-Balu Tola, PS- Manihari, Distt-Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate
For the State : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

3 06-11-2026 Heard the learned counsel for the petitioner and the learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Manihari P.S. Case No.266 of 2026 for allegedly having committed offence under Sections 115(2), 126(2), 109, 352, 351(2) and 3(5) of the B.N.S.

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 on 01.07.2026 at around 07:00 in the evening while her husband was present at Nawabganj Chowk, all the named accused persons, including the petitioner herein started assaulting her husband. They threw him on the ground and thereafter the petitioner with a big knife assaulted on his chest,

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however, he was saved with the help of the villagers. With the help of the villagers, he was taken to Sadar Hospital at Manihari and from there after basic/primary treatment he was referred to Katihar Medical College & Hospital.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case, on account of local politics and with a view to harass the petitioner. He submits that the first information report has been lodged against four persons and the allegations levelled therein are general and omnibus. The learned counsel for the petitioner submits that during course of investigation, no independent witness has come forward to support the case of the prosecution and save and accept the hearsay witnesses, nothing has come against the petitioner in the case diary. He submits that the present case has been lodged, since there is a case and counter case in between the parties and one Makho Devi, Wife of Pramod Singh has also filed an application before the S.D.P.O., Manihari, Katihar, however no action was taken and a complaint case was filed in which cognizance has been taken. He submits that even the injury report does not corroborate the case of the prosecution. He lastly submits that the petitioner is an accused in two other cases, however in both the cases he is

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on bail, although it has not been written in paragraph no.3 of the present bail petition. He submits that the petitioner is in custody since 02.07.2026.

5. *Per contra*, the learned APP appearing on behalf of the State, while opposing the prayer for bail of the petitioner, submits that direct allegation of assault on the husband of the informant has been levelled against the petitioner and the injury report corroborates the allegations levelled in the first information report.

6. Having considered the rival submissions and after going through the records as well as the case diary and the injury report appended thereto, it would transpire that specific allegation of assault on the chest of the husband of the informant has been levelled against the petitioner. From perusal of the injury report, it would transpire that the husband of the informant received injuries on account of the said assault made by the petitioner and the same has been found to be grievous in nature by the treating doctor. Further, the witnesses in paragraph nos.9 to 11 of the case diary have stated that it was the petitioner who assaulted the husband of the informant with a knife.

7. Considering the materials available on record, including the statement of the witnesses and the injury report,

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which corroborates the allegations levelled in the first information report, this Court is not inclined to grant the privilege of bail to the petitioner and the same is accordingly rejected.

(Ritesh Kumar, J.)

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