IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75585 of 2026

CNR No. BRHC011005282026

Arising Out of PS. Case No.-138 Year-2026 Thana- Patarghat District- Saharsa

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1. Kripa Shankar Singh @ Chintu S/O Late Hari Shankar Prasad Singh R/O Village- Dhabouli, P.S.- Patarghat, Distt.- Saharsa.
2. Yuvraj Singh @ Amrit @ Kumar Yuvraj S/O Anuj Kumar Singh R/O Village- Dhabouli, P.S.- Patarghat, Distt.- Saharsa.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dinkar Kumar, Advocate
Mr. Ajit Kumar, Advocate
For the State : Ms. Renu Kumari, APP
For the Informant : Mr. Kamal Kishor Singh, Advocate
Mr. Anil Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the informant.

2. This application for anticipatory bail arises out of Patarghat P.S. Case No. 138 of 2026 for the offence punishable under Sections 126(2), 115(2), 109(1), 303(2), 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. The case of the prosecution is that on 11.07.2026, at about 10:00 am, while the informant was going to his house, all the accused persons, including these petitioners, assaulted the informant. When the son of the petitioner, namely,

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Kundan Kumar Singh, came there for rescue, then petitioner no. 1 assaulted him by means of sharp cutting *dabiya* on head, injuring him. The assault was followed by Abhiraj Singh @ Mithu by means of iron rod on the head. The said Abhiraj Singh @ Mithu again assaulted by means of boxer upon chest and back of the informant injuring his son. It has further been alleged that petitioner no. 2, armed with a pistol, threatened that if anyone comes to save them, they will be killed. A gold chain and Rs. 10,000/- cash was taken away by the co-accused Abhiraj Singh @ Mithu, while petitioner no. 1 again assaulted the informant and took gold chain and cash amounting to Rs. 50,000/-.

4. Learned counsel for the petitioners has submitted that petitioners have been falsely implicated in this case. It has further been submitted that there is case and counter case between the parties, when the counter case alleges cause of occurrence was due to planting of tree. It has further been submitted, referring to the injury report of the son of the informant, that he received two lacerated wound on head and the opinion was kept reserved and the supplementary injury further opined that both the injuries were simple in nature and was caused by hard and blunt substance. It has thus been

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submitted that the allegation of assault by petitioner no. 1, which is said to be a sharp cutting *dabiya*, is not corroborated by the injury report. Moreover, it has been submitted that FIR has not been registered under Arms Act. It has further been submitted that the allegation of use of fire arms by petitioner no. 2, so as to threaten the prosecution party, is an exaggerated version. It has further been submitted that co-accused Abhiraj Singh @ Mithu has assaulted by means of iron rod and the same is corroborated by the injury report when the injuries have been opined to be caused by hard and blunt substance. It has further been submitted that petitioner no. 1 also got injuries at the hands of the prosecution party and he too was treated in the government hospital. It has lastly been submitted that the petitioners have got no criminal antecedent.

5. Learned counsel for the State as well as learned counsel for the informant opposed the prayer of anticipatory bail of the petitioners. It has further been submitted by the learned counsel for the informant that petitioners have actively participated in the occurrence when petitioner no. 1 is specifically alleged to have assaulted by means of sharp cutting *dabiya*.

6. Heard the parties and perused the record.

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7. Considering the facts and circumstances as well as the fact that there are case and counter case between the parties, the allegation against the petitioners is not supported by the injury report as also the genesis of the occurrence, let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1, Saharsa in connection with Patarghat P.S. Case No. 138 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

(Praveen Kumar, J)

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