

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71813 of 2025

Arising Out of PS. Case No.-221 Year-2025 Thana- MOKAMAH District- Patna

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1. Ankush Kumar S/o Sri Amar Singh Resident of vill- Shivnar, P.S- Mokama, Distt.- Patna
 2. Ganesh Kumar S/o Sri Amar Singh Resident of vill- Shivnar, P.S- Mokama, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-03-2026 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 117(2), 109(1), 303(2), 351(2), 352 and 3(5) of BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a young boy aged about 20 years and petitioner no. 2 is aged about 30 years and the informant alleges that he was constructing his house when accused persons including the petitioners came along with 5-6 accused persons on 19.05.2025 at 9:00 P.M. and asked him to construct his house after leaving



five feet, on objection, Amar gave order to kill, on which, Ganesh (petitioner no. 2) assaulted him on his head by rod causing injury, thereafter, Ankush (petitioner no. 1) assaulted him by rod causing injury on leg, thereafter Sonu assaulted Uttam by pistol on mouth causing injury and accused looted household articles.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant and from perusal of the allegation as alleged in the F.I.R., it would manifest that it is alleged that petitioners assaulted the informant by rod causing injury on his leg and head respectively. It is next submitted that though it is alleged that Sonu assaulted Uttam by butt of pistol causing injury on mouth, but then F.I.R. is not under the Arms Act. It is also submitted that as far as petitioner no. 1 is concerned, allegation against him is of causing injury on non-vital part of the body. It is next submitted that injury suffered by the informant on his head alleged to be have been assaulted by Ganesh by rod has been opined to be simple in nature. The learned counsel next submits that he has a copy of the case diary and from perusal of Para-75 of the same, it would manifest that the same records that the informant suffered simple injury. It is next submitted



that as far as allegation of looting household articles is alleged, the same is ornamental in nature. It is also submitted that petitioners are not criminals and on account of dispute relating to construction of house, the occurrence is alleged to have taken place.

5. Learned A.P.P. for the State opposes the anticipatory bail application.

6. Considering the submissions made on behalf of the petitioners, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mokama P.S. Case No. 221 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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