IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75517 of 2026

CNR No. BRHC011029792026

Arising Out of PS. Case No.-324 Year-2026 Thana- MAHUA District- Vaishali

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1. Pramod Kumar Singh @ Pramod Singh S/O Late Sant Lal Singh R/O Village- Nilkanthpur, P.S.- Mahua, Distt.- Vaishali at Hajipur.
2. Navin Kumar S/O Pramod Kumar Singh @ Pramod Singh R/O Village- Nilkanthpur, P.S.- Mahua, Distt.- Vaishali at Hajipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Parmod Ban Bihari Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mahua P.S. Case No. 324 of 2026 dated 01.05.2026 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 117, 109, 303(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant, namely Vidya Devi, alleged that in morning, the petitioners and co-accused, Nirmala Kumari and Meera Devi, had assaulted her mother and sister-in-law, while at that time, she was in Muzaffarpur. On receiving information, she along with her

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husband and child came from Muzaffarpur to Neelkanthpur. Thereafter, they told her mother that a Panchayat should be held in the morning in the presence of about ten persons. When they were proceeding back to Muzaffarpur, in the meantime, petitioner no.1 (Pramod Singh) started abusing them. When she went to ask him, why he was abusing them, the petitioners, being father and son, took a thick iron rod and assaulted her on the head, causing a deep injury in the middle of her head, due to which she became unconscious. It has further been alleged that her gold chain, Mangalsutra, dholna and ear-rings were snatched away. Thereafter, when her husband came out from his house, all the accused persons assaulted him with an iron rod and tore his shirt. Thereafter, she was lifted by her husband and was taken to Mahua Hospital, where considering her condition, she was referred to Hajipur where she got treated but her condition did not improve, subsequently, she was taken to a private hospital for treatment. Due to her ill health, she could not appear earlier to give her statement. It has further been alleged that the incident occurred at about 6:30 P.M, according to her, the petitioners, Meera Devi and Nirmala Kumari had the intention to kill her. It has further been alleged that her mother, Krishna Devi, was also threatened by Pramod Singh (petitioner no.1) and

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some unknown persons with dire consequences.

4. Learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in this case. It has further been submitted that there is counter version of the present FIR. It has further been submitted that although the genesis of the offence has not been mentioned in the FIR, lodged against the petitioners, but the petitioners' side in their counter version has stated that the genesis of the offence was on the question of the flow of dirty water. It has further been submitted that it was a free fight between the parties on a trivial issue without any premeditation to kill. Learned counsel for the petitioners has submitted, referring to the injury report, which has been discussed in the impugned order, that the injuries were opined to be simple in nature, when there is an allegation that these petitioners assaulted on the head of the informant. It has, thus, been submitted that as a result of the case and counter-case between the parties, which was due to a free fight, the petitioners exercised their right of private defence to the extent to saving the life of the members of the petitioners' side and the simple injuries go to suggest that no brutal assault was done. It has lastly been submitted that the petitioners have got no criminal antecedent.

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5. Learned counsel for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case as well as the genesis of the occurrence as also the injury report, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Vaishali at Hajipur in connection with Mahua P.S. Case No. 324 of 2026, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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