IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77499 of 2026

CNR No. BRHC011051122026

Arising Out of PS. Case No.-325 Year-2026 Thana- HISUWA District- Nawada

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Gulshan Kumar son of Tinku Singh Resident of village - Hadasa, Ps- Hisua, Dist- Nawadah

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Adv.
For the State	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Dhirendra Singh, Adv. Mr. Shubham Samrat, Adv. Mr. Aman Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner apprehends arrest in connection with Hisua P.S. Case No. 325 of 2026 lodged on 16.06.2026, for the offence punishable under Sections 115(2), 126(2), 303(2), 190, 191(2), 117(2), 351(2), 351(3), 352, 109(1) & 3(5) of the B.N.S., 2023.

3. As per the prosecution case, FIR has been lodged against seven named accused persons including the present petitioner. It has been alleged by the informant that all the accused persons in connivance with each other came at his house and started abusing. Upon oppose by the informant, the accused persons assaulted him by means of lathi and *sawal* (iron

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rod) due to which, informant sustained injury. Allegation of snatching golden chain (amounting Rs. 2 Lacs) from the informant is also there in the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that name of the petitioner is there in the FIR, but there is nothing specific against the petitioner, rather, general and omnibus allegation is there. Counsel submits that for the same date and place of occurrence, there are case and counter case filed from both the sides. Counsel further submits that land dispute is going on between the parties which resulted into scuffling between them. He further submits that the petitioner has four criminal antecedents and in all the cases, he is on bail.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner has not come before this Court with clean hands due to the reason that the petitioner has six criminal antecedents and not four.

6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that there is nothing specific against the petitioner, rather, general and omnibus allegation is there and there is also case and counter case filed from both the sides.

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7. As such, in the present facts and circumstances of the case, let the above-named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 325 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023 with further conditions that:-

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his/her *bona fide;*

(ii) the trial court at the time of accepting the bail bond of the petitioner shall verify that whether there are six criminal antecedents of the petitioner or four criminal antecedents. If, it has been found that the petitioner has six criminal antecedents, then in that case, his bail bond shall be cancelled by the trial court itself.

(Dr. Anshuman, J)

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