IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77011 of 2026

CNR No. BRHC011094982026

Arising Out of PS. Case No.-148 Year-2026 Thana- ATHMALGOLA District- Patna

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1. Umesh Prasad Singh @ Umesh Singh S/O Late Rama Nand Singh R/O Village- Ram Nagar Diara, P.S- Athmalgola, Distt.- Patna.
2. Prabhawati Devi @ Prabha Devi W/O Umesh Prasad Singh @ Umesh Singh R/O Village- Ram Nagar Diara, P.S- Athmalgola, Distt.- Patna.
3. Manju Devi W/O Late Maheshwar Prasad Singh @ Late Mahesh Singh R/O Village- Ram Nagar Diara, P.S- Athmalgola, Distt.- Patna.
4. Jyoti Shankar Singh @ Jyoti Shankar S/O Umesh Prasad Singh @ Umesh Singh R/O Village- Ram Nagar Diara, P.S- Athmalgola, Distt.- Patna.
5. Rishi Shankar Singh @ Rishi Shankar S/O Umesh Prasad Singh @ Umesh Singh R/O Village- Ram Nagar Diara, P.S- Athmalgola, Distt.- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The Petitioners are apprehending their arrest in connection with Athmalgola P.S. Case No. 148 of 2026 registered for the offence punishable under Sections 115(2), 126(2), 109, 329(4) and 3(5) of the BNS.

3. As per the prosecution case, on 18.05.2026, at about 2:30 P.M., while the informant was sleeping in her room, petitioner no. 5, Rishi Shankar, entered the room and caught

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hold of her hand. In the meantime, petitioner no. 4, Jyoti Shankar Singh, also came there and attempted to gag her mouth. Hearing the commotion, informant's mother came to rescue her whereupon the petitioner no. 1, Umesh Singh, petitioner no. 2, Prabha Devi, and petitioner no. 3, Manju Devi, assaulted the informant and her mother with lathis and dandas, as a result of which the informant's mother sustained head injury. The accused persons also assaulted the informant with lathi, causing injuries to her head.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It has further been submitted that the dispute arose over the repair of a hand pump which resulted in a free fight between the parties, leading to the institution of case and counter-case. Referring to Annexure-5 series, it has been submitted that the petitioners also sustained injuries and most of the injuries were on vital parts of their bodies. It has further been submitted that the injuries sustained by the informant and her mother have been opined to be simple in nature. Lastly, it has been submitted that petitioner nos. 1 and 3 have one criminal antecedent, which is not of a similar nature, whereas petitioner nos. 2, 4 and 5 have clean antecedents, as stated in

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paragraph 3 of the bail petition.

5. Learned APP 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, and the case and counter-case between the parties coupled with the fact that the petitioners' side also sustained injuries and the injuries sustained by the informant and her mother were opined to be simple in nature, 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-bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna, in connection with Athmalgola P.S. Case No. 148 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. This application stands allowed.

(Praveen Kumar, J)

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