IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77645 of 2026

CNR No. BRHC011095502026

Arising Out of PS. Case No.-49 Year-2026 Thana- Chakia District- Begusarai

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Nirmal Kumar Son of Medni Mahto R/O Vill- Naya Tola Chakia, Ward No. 35, P.S.- Chakia, District- Begusarai

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhirendra Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Chakia P.S. Case No. 49 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 76, 352 and 3(5) of the BNS (Bharatiya Nyaya Sanhita, 2023).

3. As per the FIR, the informant has alleged that during construction of a house on the private land, the accused persons came there and they all were armed with *lathis, dandas and iron rods* and it has further been alleged that the petitioner initially pointed pistol at the head of the informant and assaulted him with the pistol causing injury on his head.

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4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated along with the other members of the family in this case. It has further been submitted that it is on the spur of the moment that the incident occured and the prosecution side received some injuries. It has been stated that though the injuries sustained by the informant on the head is said to have been grievous in nature but the same is not corroborated by the statement made in the FIR. It has been pointed out that the other accused persons have been granted bail by the learned Court below itself. It has next been submitted that the petitioner is a 20 years old student and his entire career will be at stake, if he is allowed to remain in custody. It has lastly been submitted that the petitioner carries clean antecedent and is in custody since 22.08.2026.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Having heard the learned counsel for the parties and taking into account the fact that the petitioner is a young student of twenty years of age and also the fact that he has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned

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court below where the case is pending/successor court in connection with Chakia P.S. Case No. 49 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

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8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial

(Sourendra Pandey, J)

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