# IN THE HIGH COURT OF JUDICATURE AT PATNA
**CRIMINAL MISCELLANEOUS No.78605 of 2026**

**CNR No. BRHC011104882026**

Arising Out of PS. Case No.-251 Year-2026 Thana- ROH District- Nawada

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1. Shivshankar Kumar Son of Sudhir Singh @ Shudhir Kumar Resident of Village- Siur, P.S.- Roh, District- Nawada.
2. Madhukar Kumar Son of Sudhir Singh @ Shudhir Kumar Resident of Village- Siur, P.S.- Roh, District- Nawada.
3. Sudhir Singh @ Shudhir Kumar Son of Late Hulas Singh Resident of Village- Siur, P.S.- Roh, District- Nawada.
4. Pankaj Singh @ Pankaj Kumar Son of Late Madhusudan Singh @ Masudan Singh Resident of Village- Siur, P.S.- Roh, District- Nawada.
5. Pappu Kumar @ Pappu Singh Son of Late Ramesh Singh Resident of Village- Siur, P.S.- Roh, District- Nawada.
6. Laukesh Kumar @ Lukesh Kumar Son of Pakaj Singh @ Pankaj Kumar Resident of Village- Siur, P.S.- Roh, District- Nawada.
7. Ashutosh Kumar Son of Shailendra Singh Resident of Village- Siur, P.S.- Roh, District- Nawada.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Krishna Pd. Singh, Senior Advocate
Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR**

ORAL ORDER

2 05-11-2026 Heard learned senior counsel for the petitioners and learned Additional Public Prosecutor for the State.

**2.** The Petitioners are apprehending their arrest in connection with Roh P.S. Case No. 251 of 2026 registered for the offence punishable under Sections 126(2), 115(2), 74, 76, 110, 117(2), 303(2) and 3(5) of the BNS.

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**3.** As per the prosecution case, on 28.07.2026 at about 08:00 P.M. the daughter of informant was standing at the door. All of a sudden, the petitioner no. 6 Laukesh Kumar came there, caught T-shirt of informant and pushed him inside his home. co-accused Shailendra Singh and petitioner No.4 Pankaj Kumar also came there and entered informant's house, started abusing them. It has further been alleged that all the accused persons started assaulting the daughter of informant by fists and slaps. When niece of informant came to rescue then all the accused persons assaulted her by lathi and danda causing injury on the shoulder of daughter as well as on informant's niece. Thereafter, petitioner nos. 1, 2, 3, 5, 7 and co-accused Shivraj Kumar entered informant's house and assaulted him. When informant's uncle, Sadan Singh, came for rescue all the accused persons assaulted him by means of iron rod causing fracture on his hand.

**4.** Learned senior 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 there happens to be a case and counter-case between the parties, wherein, in the counter-case lodged by the wife of petitioner no. 1, several persons from the side of the petitioners sustained injuries. It has further been submitted that there was a free fight

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between the parties without any premeditation to kill. It has next been submitted that the case has not been registered for the offence punishable under Section 109 of the BNS. Referring to the injury reports annexed as Annexure P/3, learned counsel has submitted that although the uncle of the informant, namely, Sadan Singh, sustained grievous injuries, all the injuries were on non-vital parts of his body. It has further been submitted that the injury report of the niece of the informant also indicates that, although the injuries were grievous in nature, they were on non-vital parts of her body. Referring to the impugned order, it has been submitted that the injuries sustained by other injured persons were opined to be simple in nature. Moreover, there is a delay of five days in lodging the FIR. Lastly, it has been submitted that the petitioner nos. 1, 2, 3 and 7 were accused in two other cases which was filed by the informant, whereas petitioner no. 4 has two criminal antecedents, petitioner no. 5 also has two criminal antecedents, out of which he has been acquitted of the charges in one case, and petitioner no. 6 has one criminal antecedent, as stated in 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.

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**7.** Considering the aforesaid facts and circumstances of the case, particularly the delay in lodging the present FIR and there being a case and counter-case between the parties coupled with the fact that the case has not been registered under Section 109 of the BNS and the injury are on non-vital part of the body, 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, Nawada, in connection with Roh P.S. Case No. 251 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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