IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78063 of 2026

CNR No. BRHC011108472026

Arising Out of PS. Case No.-338 Year-2026 Thana- PATEPUR District- Vaishali

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Anil Kumar @ Anil Kumar Rai S/o Harendra Rai R/o Village - Nirpur, Kusai, P.S. - Patepur, District- Vaishali.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Natraj Verma, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 04-11-2026 Heard Mr.Natraj Verma, learned counsel for the petitioner, learned counsel for the informant and Mr.Sanjay Kumar Pandey, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 28.07.2026 in connection with Patepur P.S. Case No. 338 of 2026, F.I.R. dated 16.07.2026 registered for the offence punishable under Sections 126(2), 115(2), 118(2), 303(2), 351(3), 352 and 3(5) of BNS.

3. Allegation against the petitioner is that he assaulted to the son of the informant with Farsa on his head causing cut injuries on his head and blood oozed out.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. It appears from the FIR that due

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to land dispute the present occurrence has taken place. There is case and counter case. There is no intention to kill anyone and due to spur of moment, the present occurrence has taken place and police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 28.07.2026.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that it appears from the FIR that there is direct and specific allegation against the petitioner that he has assaulted to the son of the informant by means of Farsa and he has received the injury and the injury inflicted upon the injured person is grievous in nature.

6. Considering the aforesaid facts, petitioner has clean antecedent, due to land dispute, the present occurrence has taken place and there is case and counter case, 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 learned Chief Judicial Magistrate, Vaishali in connection with Patepur P.S. Case No. 338 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court

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and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the 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.

(Rajesh Kumar Verma, J)

Nitesh/-

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