IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76840 of 2026

CNR No. BRHC011108702026

Arising Out of PS. Case No.-279 Year-2025 Thana- Mufassil District- Purnia

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1. Nitish kumar Thakur @ Pintu @ Pintu Kumar Thakur Son of Vidyanand Thakur Resident of Village -Mahendrapur, ward no 9, PS -Muffasil District- purnea Bihar
2. Devanand Thakur Son of Yogendra Thakur Resident of Village -Mahendrapur, ward no 9, PS -Muffasil District- purnea Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mufassil P.S. Case No.279 of 2025, FIR dated 25.12.2025, registered for the offence punishable under Sections 126(2), 115(2), 109(1), 303(2), 324(4), 76, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the FIR, the petitioners, along with other co-accused persons armed with iron rods, began to demolish the house of the informant and his brother. When they protested, the accused persons abused and assaulted the informant's side.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. By referring to Annexure-P/2, it has been submitted

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that there is a case and counter case between the parties for the same incident and both sides have sustained injuries, while the specific allegation of overt act causing grievous injury is against Vidyanand Thakur, who is not a petitioner herein. However, petitioner no. 2 has also sustained injuries over his head, the report of which the petitioner undertakes to furnish at the time of furnishing bail bonds in case the privilege of anticipatory bail is extended in favour of the petitioners. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, learned APP for the State has vehemently opposed the prayer for bail of the petitioners by submitting that, for an incident of this kind, the petitioners may not be extended the privilege of anticipatory bail.

6. Considering the facts and circumstances of the case and that there is case and counter case between the parties and both sides have sustained injuries, and specific allegation is against Vidyanand Thakur, who is not a petitioner herein, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial

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Magistrate, Purnea/Successor Court in connection with Mufassil P.S. Case No.279 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/ known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;
(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;
(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;
(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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