IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76362 of 2026

CNR No. BRHC011122252026

Arising Out of PS. Case No.-371 Year-2026 Thana- BIBHUTIPUR District- Samastipur

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1. Chandan Kumar Son of Dinesh Mahto Resident of village- Korbadha Tabhaka, ps- Bibhutipur, Dist- Samastipur
2. Nitish kumar Son of Dinesh Mahto Resident of village- Korbadha Tabhaka, ps- Bibhutipur, Dist- Samastipur
3. Pradeep Kumar Son of Mahendra Mahto Resident of village- Korbadha Tabhaka, ps- Bibhutipur, Dist- Samastipur
4. Rajeev Kumar son of Mahendra Mahto Resident of village- Korbadha Tabhaka, ps- Bibhutipur, Dist- Samastipur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Surya Narayan Roy, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 05-11-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bibhutipur P.S. Case No. 371 of 2026 registered for the offence punishable under Sections 126(2), 115(2), 191(2), 74, 324(4), 109, 303(2), 352 and 351(2) of the BNS.

3. As per the allegation made in the F.I.R., the petitioners along with other co-accused assaulted the informant and his family members causing injuries to them and also outraged the modesty of the female family members of the

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informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. There is case and counter case between the parties. The allegation alleged against the petitioners is not specific rather general and omnibus. The injuries are simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., I find that the specific allegation is against petitioner no.2 Nitish Kumar. I am not inclined to enlarge him on pre-arrest bail.

7. So far as petitioner nos. 1, 3 and 4 are concerned, in view of general and omnibus allegation against them, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 371 of 2026, subject

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to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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