IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80528 of 2026

CNR No. BRHC011130532026

Arising Out of PS. Case No.-177 Year-2026 Thana- DALSINGHSARAI District- Samastipur

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Dheeraj Kumar @ Dhiraj Kumar S/o Kusho Ram @ Kusheshwar Ram @ Kusesar Ram R/o Village - Jayajpatti, Ward No. 23, Bhatgama Ajnaul, Ps - Dalsingsarai, District - Samstipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.
For the Opposite Party/s : Mr. S.M. Rahmad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dalsinghsarai P.S. Case No. 177 of 2026, F.I.R dated 29.03.2026 registered for the offences punishable under Sections 126(2), 115(2), 76, 303(2), 352, 351(2), 3(5) of the BNS, 2023.

3. According to prosecution case, the informant, Mina Devi, in her written statement dated 30.03.2026 before the O/C, Dalsinghsarai P.S., alleged that on 28.03.2026 at about 11:00 A.M., while she was at her house, (1) Sudhir Kumar, (2) Dheeraj Kumar, (3) Anju Devi, (4) Nidhi Kumari and the wife

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of Kusho Ram arrived and started abusing her. Upon protest, they assaulted her with lathi, danda and iron rod. Sudhir Kumar caught hold of her hair, threw her to the ground and, by tearing her blouse, misbehaved with her. One of the accused also snatched her golden Jitiya from her neck. She further alleged that the accused had abused and assaulted her on two previous occasions as well. On the basis of the aforesaid written statement, Dalsinghsarai P.S. Case No. 177/2026 was registered under Sections 126(2), 115(2), 76, 303(2), 352, 351(2) and 3(5) of the B.N.S., 2023.

4. Learned counsel for the petitioner, by referring to the F.I.R. said to have been lodged by the mother of the petitioner, being Dalsinghsarai P.S. Case No. 435 of 2026 dated 06.08.2026, submits that the photo of the daughter of the co-accused, Ranju Devi, was being pasted by the informant and, upon objection having been made, there was opposition made by the informant of this case along with his other family members. However, the issues between them got resolved with the intervention of local persons and well-wishers, and no F.I.R. was made at that time. But the informant of this case, by exaggerating the incident which took place that day and by mentioning a wrong date of incident by showing the occurrence

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as a fresh incident having taken place between them, lodged the instant case. After having come to know of such steps having been taken for ulterior reasons, the petitioner's mother was forced to file a complaint case, which was later on converted under Section 156(3) of the Cr.P.C., and the F.I.R. being Dalsinghsarai P.S. Case No. 435 of 2026 dated 06.08.2026 was registered by the Police on the directions of the court concerned.

5. It has next been submitted that the allegations are false and concocted, and the injuries which are said to have been sustained by the informant are simple in nature, and it is only a safeguard which has been taken by the informant just to get over the allegations leveled by this petitioner in the F.I.R., which is said to have been registered by the Police on 06.08.2026 pursuant to the intervention of the court concerned. It has lastly been submitted that the petitioner has one criminal antecedent being Dalsinghsarai P.S. Case No. 162 of 2019, in which he is on bail.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Considering the aforesaid facts and circumstances, particularly the prior dispute having allegedly been resolved with the intervention of local persons and well-wishers, the

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subsequent institution of the present case by alleging a fresh occurrence, the rival allegations between the parties, coupled with the nature of injuries sustained by the informant being simple in nature, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

8. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of four weeks from the date of receipt of the order, 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 A.C.J.M.-I, in connection with Dalsinghsarai P.S. Case No. 177 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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

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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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