IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82272 of 2026

CNR No. BRHC011133602026

Arising Out of PS. Case No.-357 Year-2026 Thana- BHAGWANPUR HAT District- Siwan

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Vikash Kumar @ Vikash Kumar Singh S/o Kameshwar Singh R/o Village - Bhikhampur, Ps - Bhagwanpur Hat, District - Siwan.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Harsh Anuj, Adv.
For the Opposite Party/s : Mr. Abhay Kumar, Adv.
For the Informant : Mr. Kunal Tiwari, Adv.
Mr. Uday Kr. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 25-11-2026 Heard the parties.

2. The petitioner seeks bail in connection with Bhagwanpur Hat P.S. Case No. 357 of 2026 registered for the offence under Sections 126(2), 115(2), 118(1), 117, 109, 303(2) and 3(5) of BNS.

3. The petitioner is named in the F.I.R. and is in custody since 28.08.2026.

4. The allegation against the petitioner is to assault informant and others alongwith co-accused person causing head and bodily injuries having intention to cause their death, where occurrence alleged to be arising out of land dispute in terms of FIR.

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5. Learned counsel appearing on behalf of the petitioner submitted that occurrence was free fight in nature, where both parties received injuries, and, for same set of occurrence a prior case was lodged by petitioner's side which has been registered as Bhagwanpur Hat P.S. Case No. 356 of 2026. It is submitted that to counter the said case the present case was lodged by informant. It is pointed out that the occurrence took place in the background of the land dispute. It is further pointed out that during the occurrence petitioner was alleged to assault informant by using Axe targeting his head, but upon medical examination the nature of injury was found simple and also not appears corroborating with the nature of weapon and the manner in which the assault was made, raising a doubt *qua* occurrence. It is submitted that petitioner found involved in seven more criminal cases, where maximum of cases are either with the family of the informant regarding same dispute or who lodged on the instance of his family members, where he is on bail and moreover, investigation of this case has already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that

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allegation is specific against this petitioner but he could not disputed the submissions that the occurrence was free fight in nature and injuries was found simple as alleged to be caused by this petitioner.

7. In view of aforesaid factual submission and by taking note of fact that occurrence prima-facie was free fight in nature where both parties received injuries and further the injury as alleged to be caused by this petitioner upon informant, during medical examination found simple in nature, coupled with fact as investigation of this case has already concluded, wherein petitioner remains in custody since 28.08.2026, accordingly petitioner above named, is directed to be released on bail in connection with Bhagwanpur Hat P.S. Case No. 357 of 2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Siwan /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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