IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79642 of 2026

CNR No. BRHC011154682026

Arising Out of PS. Case No.-399 Year-2026 Thana- ISLAMPUR District- Nalanda

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Bunty @ Bunty Kumar Son of Anuj Prasad @ Anupam Resident of Village - Bhatu Bigha, P.S.- Hulasganj (Ghosi), District - Jehanabad presently residing at Southern Patel Nagar, Gaya Road Islampur, District - Nalanda.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Chandni Kumari, Adv.
For the Opposite Party/s : Mr.Asha Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1), 352, 351(2) and 3(5) of the B.N.S.

3. As per the allegations made in the F.I.R., the informant was allegedly assaulted by seven persons, including the petitioner. The specific allegation as mentioned in the F.I.R., has been attributed to one Nishant Kumar.

4. Learned counsel for the petitioner submits that, although the petitioner has been named in the F.I.R., but the allegations levelled against him are general and omnibus in

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nature. Learned counsel further submits that the petitioner is merely alleged to be a member of the mob, without any specific overt act being attributed to him. It is further submitted that, although the presence of the petitioner is visible in the CCTV footage, no act of assault by him is visible therein. Learned counsel next submits that, although the injury sustained by the informant has been found to be grievous in nature and is located on the nasal bone, the same cannot be attributed to the petitioner in the absence of any specific allegation against him. Learned counsel further submits that the petitioner has clean antecedent and is a student pursuing his undergraduate studies in Semester-II of the 2025-29 Session. Learned counsel lastly submits that the petitioner undertakes to cooperate with the trial and not to repeat the offence.

5. The petitioner has been in judicial custody since 30.08.2026.

6. Learned A.P.P. on behalf of the State has opposed the application.

7. Taking into consideration that petitioner is a student and there is a general and omnibus allegation against seven persons, the injury upon the person of the informant which has been found to be grievous in nature cannot be attributed to him.

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Besides, antecedent of the petitioner is clean. Thus, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Court of ACJM 1st Hilsa Nalanda or concerned Court, in connection with Islampur P.S. Case No. 399 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the present

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one, his bail bond shall not be accepted.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(Raj Kumar, J)

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