

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87194 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- KRISHNAGARH District- Bhojpur

1. Vishal Upadhyay @ Vishal Upadhayay, male age about- 24 years.
2. Akash Upadhyay @ Akash Upadhayay, male age about- 22 years
both are son of- Vidayabhusan Upadhyay, resident of village- Babhangawan,
Ps- Krishnagarh, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Ms. Priya, learned counsel appearing on
behalf of the petitioners and Mr. Rabindra Kumar, learned APP
for the State.

2. The petitioners seek pre-arrest bail in connection
with Krishnagarh P.S. Case No. 109 of 2025, registered for the
offence punishable under Sections 126 (2), 115 (2), 109, 132,
352, 351(2) and 3(5) of the BNS.

3. As per the allegations made in the FIR, while the
informant, who is a police personnel, had reached
Bhabhangawan village in the course of patrolling duty, he
noticed that two parties were engaged in a free fight. When the
informant intervened to pacify the matter, the petitioners, along



with other co-accused persons, had allegedly assaulted him, causing injuries

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. He further submitted that with respect to a piece of land, an scuffle took place between two parties, who are agnates and when the police had intervened to pacify the matter, the informant had sustained some injury, which have been opined by the doctor to be simple in nature, as would appear from the impugned order. On these grounds, petitioners seek to be released on pre-arrest bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that general and omnibus allegation has been levelled against the petitioners and injury sustained by the informant has been opined by the doctor to be simple in nature, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of



four 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 District Court where the case is pending, in connection with Krishnagarh P.S. Case No. 109 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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