

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89976 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- ATHMALGOLA District- Patna

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1. Vikash Singh @ Vikash Kumar Singh aged about 45 years, Male, S/O Binod Singh
 2. Durgesh Kumar, aged about 19 years, Male, S/O Vikas Singh
 3. Dhiraj Singh @ Dhiraj Kumar, aged about 32 years, Male, S/O Late Randhir Singh,
All are resident of Kamrapar, P.S- Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-01-2026 Heard Mr. Dipak Kumar, learned counsel appearing
on behalf of the petitioners and Mr. Akshay Lal Pandit, learned
APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Athmalgola P.S. Case No. 363 of 2025, registered for the
offence punishable under Sections 126(2), 115(2), 118(2),
109(1), 74, 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. As per the allegation made in the FIR, petitioners
along with other co-accused persons, had entered into the house
of the informant and had assaulted him and his family members
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. Both the parties were involved in dispute with respect to a passage, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the informant and his family members, without intention. Injuries sustained by the informant side have been opined by the doctor to be simple in nature. There is case and counter case between the parties. 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 there is case and counter case between the parties. Both the parties were involved in dispute with respect to a passage, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the informant and his family members, without intention. Injuries sustained by the informant side have been opined by the doctor to be simple in nature. I am of the opinion that petitioners have,



prima facie, made out a case to be released on pre-arrest bail.

7. 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 Athmalgola P.S. Case No. 363 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **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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