

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91245 of 2025

Arising Out of PS. Case No.-318 Year-2025 Thana- MADANPUR District- Aurangabad

Vishnu Kumar Chaudhary @ Vishnu Kumar, aged about- 20 years, male, S/o Ranjeet Nisad, resident of village- Palkiya, PS- Madanpur, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mrs. Rupa Kumari, learned counsel appearing on behalf of the petitioner and Mr. Suresh Prasad Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Madanpur P.S. Case No. 318 of 2025, registered for the offence punishable under Sections 191(2), 190, 115(2), 126(2), 117(2), 109, 352, 351(3), 303(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioner along with other accused persons had assaulted the informant side with an intention to kill. Specific allegation against the petitioner is that he had assaulted the Shambhu Kumar Chaudhary, who had sustained injury on his head.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Specific allegation against the petitioner is that he had assaulted one Sudhir Kumar Chaudhary, who had sustained injury on his head, however, the same has been opined by the doctor to be simple in nature. Both the parties are *Gotia*. There is case and counter case between the parties. An scuffle took place between the parties due to trivial reason and in course of the same, the petitioner, in his self defence, may have caused some injury to the informant side without intention. Petitioner has clean antecedent. On these grounds, petitioner seeks 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, specific allegation against the petitioner is that he had assaulted one Sudhir Kumar Chaudhary, who had sustained injury on his head, however, the same has been opined by the doctor to be simple in nature. Both the parties are *Gotia*. There is case and counter case between the parties. An scuffle took place between the parties due to trivial reason and in course of the same, the petitioner, in his self defence, may have caused some injury to the informant side



without intention. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Madanpur P.S. Case No. 318 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 petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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