

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91498 of 2025

Arising Out of PS. Case No.-293 Year-2025 Thana- SOHSARAI District- Nalanda

1. Deepak Kumar S/o- Raj Kumar Mahto Village- Mansur Nagar, P.S.- Sohsarai, District- Nalanda
2. Baban Kumar @ Baban Prasad S/o- Baleshwar Prasad R/v- Badhi Pathari Ps- Laheri Dist-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwa Bijay Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sohsarai Police Station Case No. 293 of 2025, disclosing offences under Sections 115(2), 126(2), 109(1), 352, 3(5) of the BNS, 2023.

3. As per the FIR, on 26.09.2025, while the youngest son of the informant, namely Rajiv Kumar, was returning back towards home, he was surrounded by the petitioners and other accused persons who assaulted the son of the informant on his head, chest and back with sticks and punches, calling him thief.



4. Learned counsel for the petitioner submits that the petitioners have falsely been implicated in this case on account of the fact that petitioner no. 2 is the owner of the banquet hall in which a theft was committed by the informant's son and other accused persons, for which petitioner no. 2 lodged an FIR bearing Sohsarai P.S. Case No. 292 of 2025, dated 26.09.2025. After lodging the FIR by the petitioner no. 2, as a counterblast, the present FIR has been lodged by the informant on 27.09.2025. Referring to the injury report, learned counsel submits that the injury sustained by the victim is simple in nature.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation made in the FIR and the fact that there is a case and counter case between the parties, having allegation and counter-allegation, and the injury sustained by the victim is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bihar Sharif at Nalanda, in connection with Sohsarai Police Station Case No. 293 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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