

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91992 of 2025

Arising Out of PS. Case No.-348 Year-2025 Thana- MOKAMAH District- Patna

1. Raja Thathera @ Raja Tathera @ Akashdip Son of Late Rambali Thathera @ Ram Bali Prasad Resident of Village- Laheriya Tola, Ward No. 14, P.S.- Mokama, District- Patna
2. Piush Kumar Son of Gopal Thathera Resident of Village- Laheriya Tola, Ward No. 14, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv

For the Opposite Party/s : Mr.Renuka Ratnakar (App 125)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mokama P.S. Case No. 348 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 109(1), 352, 351(2) & 3(5) of BNS, 2023.

3. The case of the prosecution, in short, as per the informant is that on 26/08/2025 at 02:00 PM, Raja Tathera, Chhotu Kumar, Plush Kumar and Kaju Tathera called her son Subham on phone and started abusing and assaulting him with iron md, due to which, Shivam Kumar sustained injury. Shubham was taken to hospital, Mokama for treatment from



where he was referred to PMCH for better treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners have no criminal antecedent. From the investigation report and the rejection order, it is not specific that who has given the grievous injury.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that the petitioner has clean antecedent and also given the fact that there is no specific allegation only against the petitioner of having assaulted the son of the informant, Subham Kumar which makes it difficult to even prima-facie ascertain as to whether the injury sustained by Subham Kumar is on account of assault by the petitioner or by someone else. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Barh (Patna) in connection with



Mokama P.S. Case No. 348 of 2025, subject to the conditions
laid down under section 482(2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

kiran/-

U		T	
---	--	---	--

