

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91935 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- ANTI District- Gaya

Manoj Kumar S/O Late Raja Ram Yadav @ Raja Ram R/O Village- Itwan,
P.S- Konch District Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Anti P.S. Case No.88 of 2025 registered for the offence under Sections 109, 126(2), 115(2), 117(2), 329(3), 352, 351(2), 3(5) of the BNS.

3. Prosecution story in brief is that on 01.08.2025, at 2:30 PM, six persons including the petitioner were forcefully ploughing the field of informant. In the meanwhile, informant, his brother Lalendra Kumar and his father intervened to stop ploughing. Upon which all accused persons started abusing them. It is further alleged that Sanjay Yadav and Dharmnath Yadav caught informant and Rohit Kumar @ Baiju assaulted him with lathi blow causing severe head injury. Manoj Kumar, Sanjay Yadav and Dhananjay @ Mukhiya assaulted his father



causing his head injury and got fractured his right hand. It is further alleged that Dhananjay @ Mukhiya assaulted his brother also with club causing severe hurt. Thereafter, accused persons fled away by issuing threatening to kill. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has falsely been implicated in this case. Learned counsel for the petitioner further submits that petitioner has no criminal antecedent and there is no specific allegation against the petitioner. Learned counsel for the petitioner also submits that the injury report only shows one injury on the head. Further submits that there is case and counter case between the parties regarding the same occurrence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the fact the petitioner has no criminal antecedent and from the reading of the FIR, it appears that not only the petitioner, but there were other accused persons who have been alleged to have assaulted the father of the informant causing head injury. There is no specific allegation against the petitioner that he was the only person who had allegedly assaulted the father of the informant, causing head injury. The



injury report only shows one injury on the head and therefore, it is not clear whether it is the petitioner or someone else and therefore, there is all probability that it may have happened on account of the assault by the other accused persons and not the petitioner. This is also a case of counter case between the parties regarding the same occurrence. Under these circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Gaya in connection with Anti P.S. Case No.88 of 2025, subject to the conditions laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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

