

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.616 of 2026

Arising Out of PS. Case No.-940 Year-2025 Thana- NAWADA District- Nawada

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Dipu Kumar, S/o Shrawan Mistri @ Sharwan Mistri, R/o Village- Bhadauni,
P.S-Nawada, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Part

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Appearance :

For the Petitioner : Mr. Sunil Prasad Singh, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Nawada P.S. Case No.940 of 2025/ Nawada
Town P.S. Case No. 940 of 2025, dated.02.09.2025, registered
for the offences punishable under Sections 115(2), 126(2),
117(2), 109, 3(5) of the B.N.S., 2023.

3. As per allegation, in an altercation, the daughter of
the informant has been assaulted by the accused petitioner
causing injury on her person.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that as a matter of fact, the informant
and the Petitioner side are next door neighbors and on account



of dispute altercation took place in which both sides got injury and there is case and counter case filed and it is the Petitioner who had filed the Criminal Case bearing Nawada P.S. Case No.939 of 2025 instituted for the offence punishable under Sections 109 and other allied section of the B.N.S. The nature of the injury allegedly caused is simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and simple nature of injury, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Nawada P.S. Case No.940 of 2025/ Nawada



Town P.S. Case No. 940 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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