IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55324 of 2026

Arising Out of PS. Case No.-1084 Year-2025 Thana- SONEPUR District- Saran

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1. Chhotu Kumar S/o Devanand Paswan R/o Village - Sabalpur Nawal Tola, P.S - Sonepur, District - Saran at Chapra
2. Avinash Kumar @ Abhinash Kumar S/o Devanand Paswan R/o Village - Sabalpur Nawal Tola, P.S - Sonepur, District - Saran at Chapra
3. Devanand Paswan S/o Narayan Paswan @ Narayan Bhagat R/o Village - Sabalpur Nawal Tola, P.S - Sonepur, District - Saran at Chapra

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kumar Yadav,l Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-08-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioner submits that Chhotu Kumar (petitioner no. 1) was arrested during pendency of the anticipatory bail applicaton, thus seeks permission to withdraw the anticipatory bail application on his behalf.

3. Permission is accorded.

4. **Accordingly, the anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 1.**

5. The petitioners nos. 2 and 3 apprehend their arrest in a case registered for the offences punishable under Sections

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126(2), 115(2), 118(1), 109, 352, 351(2), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita.

6. The learned counsel for the petitioners next submits that the petitioner nos. 2 and 3 are persons with clean antecedent and the informant alleges that on 03.11.2025 at 9:00 AM, he was washing his auto, when accused persons came and started abusing and Devanand gave orders to kill on which Abhinash caught him while Devanand and Chhotu assaulted him by sword causing injury on head, thereafter Abhinash assaulted by hockey stick and Chhotu snatched his chain.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that on account of dispute relating to money an altercation took place in which both side assaulted each other. It is also submitted that from side of the petitioners Sonepur PS Case No. 1100 of 2025 has been instituted against the informant and his side. It is also submitted that from the side of the petitioners also, people suffered injury.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is a specific allegation against Devandand and Chhotu of assaulting the informant by sword causing injury on head and Abhinash is

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alleged to have assaulted by hockey stick. It is also submitted that from perusal of the FIR, it would manifest that the informant was referred from referral hospital Sonepur to PMCH, Patna for treatment which amply demonstrates that the injured suffered injuries.

9. At this stage, the learned counsel appearing on behalf of the petitioners submits that though Devanand along with Chhotu are alleged to have assaulted the informant by sword causing injury on head, but then as far as Abhinash is concerned, the allegation against him does not inspire confidence as informant alleges that he assaulted by hockey stick, but does not disclose on which part of the body. It is also submitted that petitioner no. 2 is a young boy aged about 20 years and if in the nature of allegation as alleged in the FIR is sent to judicial custody his entire career would get jeopardized.

10. After hearing the learned counsel for the parties, the petitioner no. 2 above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sonepur P.S. Case

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No. 1084 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

11. The Court is not inclined to extend the privilege of anticipatory bail to the petitioner no. 3, as such, the prayer for anticipatory bail to the petitioner no. 3 is rejected.

(Satyavrat Verma, J)

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