

In the Court of Sessions Judge, Darbhanga, Camp Court, Benipur.**A.B.P. No. 143/2026**

1.Aman Kumar Mishra @ Manohar Mishra son of Tribhuvan Mishra
Petitioner.

Versus

The State of Bihar..... Opposite Party.

For the petitioners: Sri Swatantra Kr. Mishra, Learned Advocate.

For the O.P.(State): Smt. Punam Jha, Learned I/c Public Prosecutor.

ORDER

17-06-2026: Application for anticipatory bail has been filed on behalf of the petitioner namely **Aman Kumar Mishra @ Manohar Mishra**, who is apprehending his arrest in connection with Bahera PS Case No. 170 of 2025 for the offences U/Ss. 126(2), 115(2), 118(1), 351(2), 352, 329(4), 110, 303(2) and 3(5) of the BNS, pressed today.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor for the State.

3. The allegation is that on the alleged date of occurrence of 04-05-2025 at about 10.00 AM the informant was present at his house and accused namely Yogi Mishra, Amarnath Mishra, Tribhuvan Mishra, Anand Mishra, Jai Prakash Mishra, Manohar Mishra, Rajeev Mishra came at the house of informant with intention of committing robbery. The informant protested accused Amarnath Mishra and Anand Mishra assaulted the informant with axe and on the dictate of Yogi Mishra accused Rajeev Mishra attempted to stab, accused Manohar Mishra and Jai Prakash Mishra assaulted the informant's leg with iron rod and accused Tribhuvan Mishra and others committed theft of cash of Rs.6000/- and ornaments of Rs. 1,50,000/-. The villagers brought the informant to the Sub-divisional hospital Benipur for treatment and from where he referred to DMCH for better treatment, resulting into the institution of the present case.

4. It has been submitted that the accused-petitioner is innocent and has committed no offence and has been falsely implicated in this case. The further submission is that by perusal of the First Information Report it is crystal clear that the petitioner is only alleged to have assaulted to the informant by iron rod at his leg which is non vital part of the body. Moreover there is no specific allegation alleged against the petitioner rather it is general and omnibus. The further submission is that no occurrence has alleged in the First Information Report has ever taken place rather the petitioner is close Pattidar of the informant and they have land dispute between them and in order to settle the dispute, the present case with false allegation has been filed. The further submission


 Ajay Kumar Sharma,
 Principal District and Sessions Judge,
 Darbhanga

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is that even if the allegation is accepted for a moment of gospel truth no offence u/s 110 of the BNS is attracted and other allegation of theft is ornamental, though not specifically attributed to the petitioner. Hence, he may be granted the privilege of anticipatory bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer for anticipatory bail.

6. Heard and perused the case diary summoned and received. Para no.6 of the case diary is the description of place of occurrence which appears situated in village Mahinam Tole Khabn. Para no.7,8,9 of the case diary reflects the statement of witnesses supporting the occurrence. Para -14 of the case diary reflects clean antecedent of the petitioner and Para-23 reflects injury report of Durgesh Mishra where one lacerated wound at left parietal region caused by hard and blunt substance and nature of the injury has been opined to be grievous in nature, however, the allegation of assaulting at the head of the informant is not specifically attributable to this petitioner.

7. Under the facts and circumstances of the present case, the nature of allegation is general and omnibus, coupled with the clean antecedent of the petitioner and the submission advanced on behalf of the parties, the prayer for anticipatory bail of the petitioner stands allowed. Accordingly, in the event of his arrest or surrender before the learned court below within four weeks from the date of receipt of this order, let the petitioner namely **Aman Kumar Mishra @ Manohar Mishra** be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate Benipur subject to conditions as laid down u/s 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

Dictated



(Ajay Kumar Sharma)
Sessions Judge, Darbhanga,
Camp Court, Benipur
17-06-2026.


Ajay Kumar Sharma,
Principal District and Sessions Judge,
Darbhanga

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