

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35027 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- RAJGIR District- Nalanda

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Kundan Kumar S/o- Late Ramesh Yadav, Resident of Village- Kripa Bigha,
Ps- Rajgir, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Mr. Shankar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-08-2025 Heard learned Counsel for the petitioner, learned
Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Rajgir P.S. Case No.23 of 2025, lodged on 15.01.2025, under Sections 126(2)/115(2)/109(1) /329(3) / 329(4)/308(4)/352/351(3)/3(5) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of Chief Judicial Magistrate, Nalanda at Biharsharif.

3. As per the prosecution, FIR has been lodged against



two named accused persons including the present petitioner with allegation that they have assaulted on the head of the informant and his uncle by iron rod due to which both have sustained injury.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and have committed no offence. He submits that the said assault is not specific that who had assaulted whom. Counsel submits that antecedent of the petitioner is clean. He submits that there is no overt-act alleged against the petitioner.

5. Learned Counsel for the informant vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of assault against the petitioner in the FIR, due to which grievous injury has been caused.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Considering the nature of allegation against the petitioner, the prayer for anticipatory bail of the petitioner is hereby refused. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered on its own merit on the same day



without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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