

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66737 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- KHANPURA District- Samastipur

Rakesh Kumar @ Rakesh Kumar Ray S/o Ram Pravesh Ray R/o Village -
Dhaidh, Ward no.- 7, P.S - Khanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 191(1),
191(2), 126(2), 115(2), 118(1), 109, 74, 352 and 351(2) of the
BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on account of dispute relating to land, petitioner
assaulted him by an iron rod causing injury on his head and
thereafter Rajan Kumar assaulted Umesh Rai by danda causing
injury on his hand. Further, Samudri Devi and Pandav Kumar
assaulted Sujita Kumari by bamboo stick causing injury on her
head while Ram Pravesh Rai and Pandav Kumar assaulted
Prince Kumar by rod on his leg and above the knee and



thereafter villagers gathered and the injured were taken to the hospital.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is next submitted that an altercation had taken place in between the family of the petitioner and the informant and both sides assaulted each other.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt, on account of dispute relating to land, the occurrence is alleged to have taken place but then from perusal of the order impugned, it would manifest that petitioner is alleged to have assaulted the informant by rod causing injury on head and the injury has been found to be grievous which amply demonstrates that petitioner exceeded his right in defending himself.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Khanpur P.S. Case No. 146 of 2025 pending in the Court of



learned Judicial Magistrate, 1st Class, Samastipur/Successor
Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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