

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3510 of 2026

Arising Out of PS. Case No.-65 Year-2025 Thana- MADHEPUR District- Madhubani

Narendra Kumar Jha @ Narayan Jha Son of Late Baidyanath Jha @ Late Baij Nath Jha @ Late Baijnath Jha Resident of Village- Bhakhrain, P.S.- Mdhepur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-04-2026 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 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 18-4-2025 at 8:45 pm, he was intercepted by the accused persons including the petitioner and on orders of petitioner, accused Gangesh fired but missed, thereafter he assaulted the informant by butt of pistol causing injury on head and Ritesh assaulted him by bamboo causing injury on head and



Gangesh snatched his chain, mobile and Rs. 4,500/-.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that petitioner has been implicated by the informant with an allegation that based on his orders, the occurrence of assault was committed by Gangesh. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent thus submitted final form dated 9-11-2025 exonerating the petitioner of the allegation, but then learned Magistrate differing with the police report, took cognizance by an order dated 28-11-2025. The learned counsel for the petitioner next submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner 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 Madhepur P.S. Case No. 62 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Sumit/-

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