

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10199 of 2026

Arising Out of PS. Case No.-146 Year-2025 Thana- DEV District- Aurangabad

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Jitendra Prasad, S/O Late Suryadeo Prasad R/O Vill.- Dhanaw, P.S.-
Daudnagar, Dist.- Aurangabad, Bihar, At Present Vill.- Sihuli, P.S.- Obra,
Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advcoate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Deo P.S. Case No. 146 of 2025 registered for the offences under
Sections 126(2), 115(2), 109, 352, 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. As per the prosecution case, the named accused
persons, including the petitioner, entered the house of the
informant and assaulted the daughter-in-law of the informant by
brick, stones and other weapons.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and no such
incident as alleged had occurred. It has further been submitted



that total seven persons have been named as an accused without any specific allegations against them. Learned counsel for the petitioner has referred to Annexure-2 series whereby the injury reports would go on to show that the injuries sustained by the injured persons were found to be simple in nature. It has next been submitted that from perusal of the FIR, it would be evident that no motive has been alleged. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Deo P.S. Case No. 146 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close



relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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