

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19451 of 2026

Arising Out of PS. Case No.-94 Year-2024 Thana- KAKO District- Jehanabad

1. Dinesh Kumar @ Dinesh yadav Son of Baleshwar Yadav Resident Of Village - Tiwari Bigha, P.S. - Kako, Dist. - Jehanabad.
2. Ramesh Kumar Son of Baleshwar Yadav Resident Of Village - Tiwari Bigha, P.S. - Kako, Dist. - Jehanabad.
3. Yugesh Kumar Son of Baleshar Yadav Resident Of Village - Tiwari Bigha, P.S. - Kako, Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kako P.S. Case No. 94 of 2024 in a case registered for the offence punishable under Sections 147, 149, 341, 323, 427, 504 and 506 of the IPC.

3. As per the prosecution case, on 24.03.2024, at about 12:00 pm, the accused persons including these petitioners intercepted the informant at his doorstep, assaulting him with sticks and stones following a verbal altercation. When informant's family members came there to save him, the accused persons assaulted them and also damaged his home and vehicle.

4. Learned counsel for the petitioners submits, at the outset, that initially the case was registered under bailable sections



and the petitioners had also been granted bail and had furnished their bail bonds. However, subsequently, charge-sheet was submitted under non-bailable Section of Section 307 of the IPC and cognizance was also taken thereupon.

5. Taking into consideration the fact that the petitioners have already surrendered before the jurisdiction of the court earlier, the present anticipatory bail would not be maintainable. However, in the light of the judgment passed in the case of **Mahendra Prasad Singh Vs. The State of Bihar** reported in **2004 (3) PLJR 491**, the petitioners would appear before the Court concerned within six weeks and the Court concerned would consider their prayer for bail in accordance with law keeping in view the well established principle that the person, who is already on bail shall not be denied such privilege unless there is any allegation of misuse.

6. With the aforesaid observation, the present application is disposed of.

(Soni Shrivastava, J)

priyanka/-

U		T	
---	--	---	--

