

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14782 of 2026

Arising Out of PS. Case No.-160 Year-2024 Thana- HASANPUR District- Samastipur

Durgesh Roy @ Durgesh Kumar, Roy S/o Ram Kinkar Roy, R/o Village -
Deodha, P.S. - Hasanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Singh, Advocate
For the Informant	:	Mr. Mrityunjay Kumar, Advocate
		Ms. Pampy Kumari, Advocate
For the State	:	Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Hasanpur P.S. Case No. 160 of 2024 instituted for the offence punishable under Sections 126(2), 115(2), 352, 305(a), 109(1), 221(2) and 117(2) and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that this petitioner has assaulted with iron rod and Ram Kinkar Roy assaulted with *lathi* and Deepak Roy assaulted with pistol to father-in-law of the informant, namely, Ram Sewak Roy. When the husband of the informant came to rescue, it is alleged that the petitioner assaulted twice and Ram Kinkar Roy and Ran Shankar



Roy assaulted the mother-in-law of the informant.

4. The learned counsel for the petitioner has submitted that petitioner is innocent and committed no offence. It has further been submitted that date of the occurrence is 09.11.2024 whereas the written application was filed on 29.12.2024. The delay is not explained. It has further been submitted that prior to this F.I.R. a compliant regarding this occurrence was also filed and the story which has been created in complaint is somewhat different from the F.I.R. It has further been submitted that in this case, one Ram Sewak Roy has died and the cause of death was septicemia. It has also been submitted that similarly situated co-accused persons have been granted anticipatory bail by learned Co-ordinate Bench of this Court vide Cr. Misc. No. 48343 of 2025.

5. Countering this, learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner and has submitted that there is direct allegation against the petitioner that he has assaulted twice with iron rod to the deceased on his head.

6. It has further been submitted that the compliant petition was filed by one Ram Mani Roy who is the son of the deceased. On being asked thereto why there is difference between the two versions, the learned counsel for the informant could not satisfy this Court. However, it has been submitted that petitioner is



having criminal antecedent of five cases.

7. Having heard learned counsel for the parties and considering the above facts and circumstances of the case, as the petitioner is having criminal antecedent of six cases, this court is not inclined to grant anticipatory bail to the petitioner and, as such, his application for bail is rejected.

8. However, petitioner is directed to surrender in the learned trial Court and learned trial Court shall dispose of his bail petition on merits without being prejudiced with above observation.

(Ashok Kumar Pandey, J)

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