

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18072 of 2026

Arising Out of PS. Case No.-166 Year-2024 Thana- BALIGAON District- Vaishali

Kanhai Prasad @ Kanhai Rai S/o Late Baiju Rai R/o Village- Chakmir Banki,
Police Station- Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Anjana, Advocate
For the State : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 190, 191(2), 191(3) and
103 of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that on 02.12.2024 at
about 6 PM, all the F.I.R. named accused persons, including this
petitioner, hurled verbal abuses, damaged the house of
informant and assaulted her father by means of *lathi*, stick,
spear, knife, etc. as a result of which he died during course of
treatment.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence. From



bare perusal of the First Information Report, it is apparent that all 23 named accused persons, including this petitioner, along with 8 to 10 unknown persons, assaulted father of informant, however, as per *post mortem* report, deceased sustained only four injuries, which itself raises doubt over veracity of the prosecution case. Allegation of assault is general and omnibus and there is no specific allegation of overt act against this petitioner. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 03.09.2025 passed in *Cr. Misc. No. 59536 of 2025* and order dated 05.02.2026 passed in *Cr. Misc. No. 77812 of 2025*. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Court No. 6, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 166 of 2024, subject to conditions as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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