

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24037 of 2026

Arising Out of PS. Case No.-23 Year-2025 Thana- BARHIYA District- Lakhisarai

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Dipen Kumar @ Krishna @ Dipen Krishna S/O Mritynujay Kumar Singh @
Rajeev Singh R/O Village - Barhaiya, ward No.- 6, P.S- Barhaiya, Dist-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Barahiya P.S. Case No. 23 of 2025, dated 07.02.2025,
lodged under Sections 126(2), 115, 109(1), 303(2), 352, 351(2)
& 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred
to as “BNS, 2023”), pending before the Court of A.C.J.M.-I,
Lakhisarai.

4. As per the prosecution, FIR has been lodged against
six named accused persons, including the present petitioner,
with the allegation that the petitioner assaulted the informant



with the butt of a pistol, due to which blood oozed from his head and he fell down.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that there is no specific allegation against the petitioner. Counsel further submits that the petitioner has been implicated in this case due to village politics. Counsel further submits that all the sections are bailable except Section 109(1) of the BNS, 2023. Counsel further submits that the antecedent of the petitioner is not clean, as four criminal cases are pending against him.

6. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that four criminal cases are pending against the petitioner and there is a specific allegation against him.

7. Considering the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. Liberty is hereby granted to the petitioner that if he surrenders within six weeks, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day



without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

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