

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27817 of 2026

Arising Out of PS. Case No.-330 Year-2025 Thana- NARDIGANJ District- Nawada

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Bittu Kumar @ Bittu S/O Suresh Prasad @ Suresh Mahto @ Suresh Prasad
Adarshi R/O Vill.- Buchhi, P.S.- Nardiganj, Dist.- Nawada, represented
through his next-friend/guardian Deepak Kumar who is brother of petitioner.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Advocate Mr. Adarsh Parashar, Advocate
For the Opposite Party/s	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Vijay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2026 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
127(2), 118(1), 115(2), 110, 191(1), 192 and 190 of the BNS,
2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent. It is next submitted
that earlier Mithun Kumar along with four others had
approached this Court seeking anticipatory bail by filing
Criminal Miscellaneous No. 4571 of 2026 and the same came to



be allowed by an order dated 02.02.2026, after considering the case in detail and on merits, thereafter Anuj Kumar along with three other accused also approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 4666 of 2026 and the same came to be allowed by an order dated 02.02.2026, further Ranjit Kumar approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 7132 of 2026 and the same came to be allowed by an order dated 16.02.2026. It is next submitted that against Ranjit, it was alleged that he assaulted the informant by *gandasa* causing injury on head, but then injury suffered by the informant was opined to be simple in nature. It is also submitted that as far as the instant petitioner is concerned, he is alleged to have assaulted Vikky Kumar by *Khanti* causing injury on head, but then injury suffered by Vikky is also opined to be simple in nature.

4. It is further submitted by the learned counsel appearing on behalf of the petitioner that from side of the petitioner also Nadriganj P.S. Case No. 329 of 2025 was instituted against the informant and his side by the mother of the present petitioner, alleging that informant along with others had brutally assaulted the petitioner herein. It is next submitted that



petitioner, on account of brutal assault, suffered grievous injury and his brain surgery was performed twice and the petitioner remained in the hospital from 06.09.2025 till 16.11.2025 at Big Apollo Hospital, Patna, as would manifest from Annexure P/6 at Page-33. It is further submitted that since petitioner has suffered grievous injury and was operated twice for brain, as such, could not approach the Court for seeking anticipatory bail in time, but then the police in a mechanical manner applied for seeking process under Sections 82 and 83 Cr.P.C. and the same was issued also by the learned Magistrate. It is reiterated and submitted that on account of assault by the side of the informant, the petitioner suffered grievous injury requiring two operations of the brain while the side of the informant on account of assault by the petitioner suffered simple injury. It is also submitted that process under Section 82 Cr.P.C is issued for not aiding the police in investigation, but for securing the presence of the accused before the Court. It is also submitted that petitioner is a policeman and the investigating officer was well aware of the fact that petitioner was admitted in a hospital and twice brain surgery was conducted, but then for reasons best known applied for process.

5. Learned A.P.P. for the State as well as the learned



counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nardiganj P.S. Case No. 330 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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