

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29676 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Bittu Kumar, aged about 23 years, Male, Son of Jay Prakash Singh, Resident
of Village - Ananadgolwa @ Anand Golava, Harail, P.S.- Mohiuddin Nagar,
District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Shadab Alam Wazdi, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Mohiuddinnagar P.S. Case No. 116 of 2025 instituted for
the offences punishable under Sections 126(2), 115(2), 118(1),
303(2), 109(1), 352, 351 (2)(3) and 3(5) of the BNS.

3. The case of the prosecution, in short is that when
the informant was returning to his house on motorcycle with
Chandan Kumar after watching Orchestra, in the way 9-10
miscreants including the petitioner surrounded the informant
and on the order of co-accused Saurav Kumar Singh, co-accused
Sonu Kumar Singh with an intention to kill, placed pistol upon
him and pulled trigger, but it could not fire. Thereafter, he
assaulted with butt of pistol on the head of informant and in



course of it, other co-accused persons also attacked with Farsa, Sword and Tangari causing injury. The villagers came there who carried the informant to Mohiuddinagar Government Hospital, where doctor seeing the serious condition referred to P.M.C.H. Patna for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. He further submits that the allegations are general and omnibus. He next submits that there is old enmity between the parties. He lastly submits that similarly situated co-accused person namely Vishal Mahto @ Vishal Kumar @ Chetan @ Chentan has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 21309 of 2026 vide order dated 08.04.2026. Petitioner has got clean antecedent as stated in para 3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned Principal District and Sessions Judge, Samastipur dated 17.03.2026, it appears that there is no specific allegation of assault has been levelled against the petitioner and he is



alleged to be a member of the mob and similarly situated co-accused person namely Vishal Mahto @ Vishal Kumar @ Chetan @ Chentan has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 21309 of 2026 vide order dated 08.04.2026 and also the fact that the petitioner has no criminal antecedent, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, let the petitioner above named in the event of his arrest or surrender before the trial Court within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Shahpur Patori, Samastipur / concerned Court in connection with Mohiuddinnagar P.S. Case No. 116 of 2025, subject to the conditions laid down in Section 482(2) of the BNSS, subject to the conditions:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned trial Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the trial Court shall take steps for cancellation of his bail bonds of the



petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Ramesh Chand Malviya, J)

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