

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32543 of 2026

Arising Out of PS. Case No.-681 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Utkarsh Kumar @ Kittu Kumar @ Kittu Son of Vishwnath Ray @
Bishwanath Rai Resident of Village- Lal Pokhar Chak Jagdishpur, P.S.- Sadar
Hajipur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 24-06-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Hajipur Sadar P.S. Case No. 681 of 2025 registered under
Sections 126(2), 115(2), 351(2), 329(4), 109 & 3(5) of B.N.S.
and under Section 27 of the Arms Act.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant to
the effect that all accused persons along with some others came
to the House of the informant. When the informant came out the
accused persons dragged him and started assaulting him. The
specific allegation of firing with a pistol has been leveled
against the petitioner, however, it has been stated in the First



Information Report that the informant somehow managed to escape. It has further been alleged that all the accused persons fled away from there after threatening the informant. The informant sustained injuries for which he was treated at Sadar Hospital Hajipur. Three empty cartridges were said to have been recovered from the place of occurrence and it has further been alleged in the First Information Report that there is a previous enmity in between the parties.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He submits that as per the First Information Report, although firing was made, however, the informant did not suffer any injury and the bullet did not hit the informant. He submits that there is an enmity in between the parties from before and due to which the present false acquisitions have been levelled against the petitioner. He submits that although the petitioner is an accused in six cases, however, in three of the cases final form have been submitted against him and in the remaining two of the cases he is on bail. In Sadar P.S. Case No. 164 of 2025, he has not been granted bail as yet.

5. Per contra, the learned APP for the State opposes the prayer for bail of the petitioner and submits that the



petitioner is an accused in six cases and therefore, he does not deserve the privilege of anticipatory bail from this Court.

6. Considering the rival submissions and after going through the records, it appears that allegation of firing is there against the petitioner, however, the bullet did not hit the informant and apart from the above no allegation has been leveled against the petitioner. Further, there is a dispute in between the parties for which earlier Sadar P.S. Case No. 569 of 2024 was also lodged. It further appears that the informant suffered some injuries on his back. Considering the above let the petitioner above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of six weeks, be released on anticipatory bail in connection with Hajipur Sadar P.S. Case no. 681 of 2025, on each of them furnishing the bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court C.J.M. Vaishali at Hajipur subject to the condition laid down under Section 482(2) of the B.N.S.S, 2023, and subject to the following conditions:-

(1) That the learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed his criminal



antecedent, the court concerned shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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