

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32213 of 2026

Arising Out of PS. Case No.-173 Year-2026 Thana- DANAPUR District- Patna

Nikhil Kumar S/o Niraj Kumar Resident of Village- Gavtal, Akhara Road
Vishkarma Mandir, PS- Danapur, PO- Digha, District- Patna 800012

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Firaque Ali
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-05-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Danapur P.S. Case No. 173/2026 for the offence under sections 190, 191(2), 191(3), 308(2), 329(3), 351(3), 352, 111(7) of the BNS lodged on 11.02.2026 by the informant, Satender Kumar.

3. As per the prosecution story, in brief, as follows:

a). they are in physical possession of the property bearing khata no. 673, plot no. 822, Situated at Mauza - Danapur Shahjadpur, Area 187 Decimal;

b). on 08.02.2006, the F.I.R. named accused person with almost 100 unknown men armed with deadly weapons



came there and threatened to dispossess to his tenant;

c). at about 06.30 P.M. the aforesaid accused persons once again armed with weapons came on plot no. 822 and threatened to his tenants to leave the place or face dire consequences.

d). further, the informant's father namely Chandehswar Prasad earlier filed Title Suit No. 141/1996 against accused persons as they wanted to disposes him forcefully and last year also, on plot no. 1168 and 1169 they earlier tried to capture it, this led to the FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that a civil dispute has been given the colour of criminal act. Nothing specific is made out against this petitioner. On the other hand, a Title Suit No. 141/1996 was decided in favour of the petitioner.

5. Learned APP opposes the prayer submitting that the allegation is there against the FIR.

6. Taking into account the submissions of the parties as also that the petitioner do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event



of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Danapur P.S. Case No. 173/2026 to the satisfaction of learned ACJM-I, Danapur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/ S. Prasad

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