

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33423 of 2026

Arising Out of PS. Case No.-49 Year-2026 Thana- BYPASS District- Patna

Hero Kumar @ Vikash Kumar, S/o Upendra Sahani @ Upendra Kewat, R/o Mohalla - Karmallichak, Police Station - By-Pass, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with By-Pass P. S. Case No. 49 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. Learned counsel for the petitioner submits that the instant matter relates to a simple *marpit* (assault) resulting in no visible injuries to the informant. In this regard, the findings of the Investigating Officer recorded in paragraph no. 46 of the case diary are relevant. In fact, there was a dispute regarding sand between the petitioner and the informant, and all the material witnesses have merely supported the allegation of simple assault, however, none of them has stated that they had seen the accused carrying the alleged weapons or snatching money and a gold chain from the possession of the informant, further, the investigation has been completed and there is no



need for the petitioner's custodial interrogation.

4. Learned APP for the State, while opposing the prayer of the petitioner, fairly accepts that there was some dispute between the parties and that the investigation against the petitioner has been completed.

5. Considering the aforesaid submissions and taking note of the fact that during the investigation, the material witnesses have mainly supported the allegation of assault and there is no submission by the learned APP regarding the requirement of the petitioner's custodial interrogation and the investigation has already been completed, in my opinion in the said circumstances, the petitioner deserves the relief of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with By-Pass P. S. Case No. 49 of 2026 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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