

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39945 of 2026

Arising Out of PS. Case No.-434 Year-2025 Thana- BAHERI District- Darbhanga

Prabhu Shankar Roy @ Golu @ Prabhu Shanker S/o Satish Roy @ Satish Ray Resident of Village - Bithauli, P.S.- Baheri, District - Darbhanga, Bihar - 847201

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shama Sinha, Advocate

Mr. Surya Prakash, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-06-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 329(3), 118(1), 333, 61(2) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that he deposed in Sessions Trial No. 194 of 2021 on 13.10.2025 in which petitioner is an accused. It is further alleged that on 15.10.2025, at 11:00 p.m., while he was sleeping, petitioner along with unknown accused persons came and petitioner tried to assault him by sword but informant wokeup when an unknown accused tried to assault him by *katta* but the informant retaliated, thus, the accused persons fled away. It is next alleged



that earlier also attempt was made on life of witnesses in the aforesaid case and their shop burnt. It is also alleged that the police was informed.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that informant himself alleges that he had deposed in the sessions trial on 13.10.2025, as such, there was no occasion for the petitioner to assault him on 15.10.2025 as no useful purpose would have been served. It is next submitted that had any attempt on the informant been made prior to 13.10.2025 in that event some credibility to the allegation could have been assigned. It is also submitted that FIR also came to be instituted on 18.10.2025 i.e. after a delay of three days which further casts an aspersion on the case of the prosecution, when informant alleges that the police were informed and they came to the place of occurrence.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let 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 Baheri P.S. Case No. 434 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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