

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35168 of 2026**

Arising Out of PS. Case No.-92 Year-2026 Thana- BHAGWANPUR District- Vaishali

Krishnakant Singh @ Bhola @ Krishna Kant Kumar S/o Vinay Kumar Singh
@ Vinay Singh R/o Banthu Bafapur Banthu, PS- Bhagwanpur, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Madhukar Anand, Adv.
For the Opposite Party/s	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 21-05-2026 Heard learned Senior counsel for the petitioner,
learned Additional Public Prosecutor for the State and learned
counsel for the informant, through virtual mode.

2. The petitioner is apprehending his arrest in a case
in connection with Bhagwanpur P.S. Case No. 92 of 2026 dated
12.03.2026 registered for the offences punishable under
Sections 126(2), 115(2), 352, 351(2), 303(2), 117(2) & 109 of
the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms
Act.

3. As per the allegation, when the informant was
returning to his house after visiting his field and as soon as he



reached near Banthu Middle School, a four wheeler car dashed the motorcycle of the informant, thereafter, five persons came out of the car. It has been alleged that the petitioner was driving the car and he started firing upon the informant which did not hit him. It is further alleged that the petitioner assaulted by means of butt of country made pistol on the left hand of the informant, whereas, three persons were holding him. It is further alleged that the informant was assaulted by means of stick on his leg and whole body, as a result of which, he received severe injuries. It is further alleged that one person assaulted by means of rod upon the finger of the informant and threatened to kill him and also took out Rs. 13,300/- (Rupees Thirteen Thousand Three Hundred) from his pocket. It has further been alleged that the informant was being forcibly taken inside the car, upon which the informant protested, spray was given on his face and with an intention to cut the neck, the informant was assaulted by means of blade and also his gold chain was snatched. It has further been alleged that the accused persons including the petitioner while retreating from the place of occurrence started threatening the informant that since people have come so he is being spared but on next day he will be shot and cut into pieces. The cause of occurrence is alleged to be the fact that the



informant used to talk to the cousin sister of the petitioner and due to this fact, the present offence took place.

4. Learned Senior counsel for the petitioner has submitted that the allegation appears to be false in view of the fact that as per the allegation, the petitioner is alleged to have fired but it did not hit the informant and there is no allegation that the petitioner repeated the firing. It has been further submitted that thereafter, there is an allegation against the petitioner that he assaulted by means of butt of pistol on the hand which is non vital part of body and the supplementary injury report suggests that the injury on both the limbs were opined to be simple in nature, while the allegation of assault by blade is against another co-accused. It has further been submitted that the cousin sister of the petitioner has lodged a case against the informant under the offences punishable under Sections 126(2), 115(2), 79, 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, and alleging interalia that the present informant used to misbehave with her and there is allegation that the present informant was trying to pressurize the cousin sister of the petitioner for marriage. It has further been submitted that there is delay of about five days in lodging the present FIR without any plausible explanation for the same,



which goes on to show that after due deliberation and concoction, the present case has been filed. It has further been submitted that in the present facts and circumstances of the case, no offence under Section 109 of the B.N.S. is made out. It has further been submitted that though, there is allegation of assault by stick, there is no injury report in this regard. It has lastly been submitted that the petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Learned counsel for the informant also vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that process under section 84 of the B.N.S.S has been issued against the petitioner on 14.05.2026 and as such, the petitioner is not entitled for anticipatory bail as of now.

7. Learned Senior counsel for the petitioner in reply has submitted that the present case was itself lodged on 12.03.2026 and the petitioner immediately approached the court below for grant of anticipatory bail and the matter was finally heard and decided by court below by order dated 27.04.2026 after calling for and perusing the case diary. It has further been alleged that after the rejection of the anticipatory bail of the petitioner by the court below, certified copy of the Impugned



order rejecting Anticipatory Bail of the petitioner was procured on 02.05.2026 and thereafter, this petitioner immediately filed the present anticipatory bail application before this court on 12.05.2026 and only after the filing of the anticipatory bail application by the petitioner before this court, the process under section 84 of the B.N.S.S has been directed to be issued against the petitioner. Learned Senior counsel for the petitioner has thus submitted that the petitioner was throughout pursuing his legal remedies before the court below and case diary was called for by the court below from the local police and hence the local police was aware about the pendency of the anticipatory bail application in the court below and within two months of the registration of the FIR and after filing of the anticipatory bail application before this court, process under section 84 of the B.N.S.S has been resorted to.

8. Heard the parties and perused the record.

9. Considering the entire facts and circumstances of the case in totality, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate-VI, Vaishali at Hajipur, in connection with
Bhagwanpur P.S. Case No. 92 of 2026, subject to conditions as
laid down under section 482(2) of the B.N.S.S.

10. Accordingly, the present anticipatory bail
application stands allowed.

(Praveen Kumar, J)

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