

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35805 of 2026

Arising Out of PS. Case No.-107 Year-2026 Thana- PAROO District- Muzaffarpur

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Anish Kumar S/o Ajay Kumar Resident of Village- Gayaspur, P.S.- Paru
(Paroo), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ratneshwar Prasad, Adv.
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Sumit Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-07-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Paru (Paroo) P.S. Case No. 107 of 2026 registered for the offences punishable under sections 126(2), 115(2), 317(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner and he is simply alleged to have assaulted the injured namely Sunny Kumar, however, the said allegation has also been levelled against the co-accused Manish Kumar and is not specific to this petitioner. It is further submitted that prior to the registration of the present FIR, the mother of this petitioner had lodged Paru



(Paroo) P.S. Case No. 86 of 2026 against the informant and nine other persons for the offences under sections 126(2), 118(1), 109, 351(2), 351(3) and 3(5) of the BNS and the present case has been instituted due to a revengeful attitude. It is further submitted that the injuries sustained by the other injured persons, namely, Anil Kumar and Sabita Devi, have been opined to be simple in nature. It is lastly submitted that both the parties are agnates and in between them, there is a partition dispute.

4. On the other hand, learned counsel for the informant, while opposing the prayer of the petitioner, submits that on account of the assault committed upon the injured person, namely, Sunny Kumar, by this petitioner and co-accused Manish Kumar, Sunny Kumar sustained a fracture injury to his right shoulder and in this regard, learned counsel submits that the injury report of the said injured is available with him and may be perused. It is further submitted that co-accused Manish Kumar, who had preferred Cr. Misc. No. 37532 of 2026 seeking the relief of anticipatory bail, has withdrawn the same.

5. Learned APP for the State also opposes the prayer of the petitioner.

6. Considering the seriousness of the allegation appearing against this petitioner as to assaulting one Sunny



Kumar causing a fracture injury to his right shoulder, coupled with the fact that the investigation is still pending, this Court is not inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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