

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37993 of 2026

Arising Out of PS. Case No.-313 Year-2025 Thana- DHORAIYA District- Banka

Nitesh Kr. Singh @ Nitesh Singh S/o Kailash Singh Resident of Village -
Kasba, P.S - Dhoraiya, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard Learned Counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Dhoraiya P.S. Case No. 313 of 2025 under Sections 191(2), 191(3), 115(2), 126(2), 109(1), 117(2), 351(2), 352, 302(2) of the BNS, 2023, which is pending before the Court of A.C.J.M-1, Banka.

3. As per the prosecution, the FIR has been lodged against five named accused persons including the petitioner against whom there is allegation that they assaulted the son of the informant due to which injury has been caused. The further allegation of snatching the ornament of the wife of the informant.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has been falsely implicated in this case due to dirty village politics. The only allegation against the petitioner is that he has assaulted the wife of the informant.

5. Counsel further submits that the petitioner and informant, both are resident of same village and they are well-known to each other. He submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case *i.e.*, Dhoraiya P.S. Case No. 313 of 2025 (present case) and the petitioner has lodged case *i.e.*, Dhoraiya P.S. Case No. 314 of 2025. He further submits that none of the parties are criminal, but it is true that there is land dispute between them.

6. Learned Counsel also submits that antecedent of the petitioner is not clean as there are two criminal cases pending against him in which he is on bail.

7. Learned APP for the State opposes the prayer for bail, but fairly submits that there is specific allegation of assault against the petitioner.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore



the bail application of the petitioner is hereby rejected.

9. However, Trial Court is directed to consider the regular bail application of the petitioner, if he enters into settlement with the informant before the *Panchayat* and then surrenders within 4 weeks and prays for regular bail, then Trial Court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J)

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