

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37871 of 2026

Arising Out of PS. Case No.-57 Year-2026 Thana- BARHIYA District- Lakhisarai

Anil Singh S/o- Late Kapo Singh E/Village- Chetan Tola khutha, P. S. -
Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2026 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),
115(2), 109(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya
Sanhita.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases but then from perusal of
the para-3 to the anticipatory bail application, it would manifest
that the last case instituted against the petitioner is of the year
2004 and thereafter petitioner never came to be implicated in
any other case and is on bail in all the four cases. It is next
submitted that the informant alleges that his minor brother aged
about 14 years was in the house when petitioner along with



Nandan Singh came and started abusing and assaulting his brother, further Nandan assaulted his brother by *khanti* causing injury on head and body, next alleges that he was informed by the villagers that on account of dispute amongst the children, his brother was assaulted by the accused persons.

4. Learned counsel for the petitioner submits that from perusal of the allegations as alleged in the FIR, it would manifest that specific allegation of assaulting the brother of the informant is against Nandan Singh. It is next submitted that no specific allegation of assault is alleged against the petitioner. It is further submitted that petitioner is a senior citizen aged about 62 years and reiterates and submits that last case instituted against him was in the year 2004. It is also submitted that the date of occurrence is 4-3-2026 and the FIR came to be instituted on 8-3-2026, i.e., after a delay of 4 days. It is next submitted that even injury suffered by the injured has been opined to be simple in nature as would manifest from the injury report annexed as Annexure-2 to the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that a minor is alleged to have been assaulted by the accused persons, but then fairly submits that no specific allegation of assault is alleged



against the petitioner but if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond nor will tamper with the evidence and shall co-operate in the investigation to prove his innocence.

6. After hearing the learned counsel for the parties and taking into consideration the fact that no specific allegation of assault is alleged against the petitioner and the last case instituted against the petitioner was in the year 2004, 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. 25,000/- (Rupees Twenty-five 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 Barahiya P.S. Case No. 57 of 2026, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the



investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

