

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40024 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- BEN P.S. District- Nalanda

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1. Kanhaiya Kumar S/O Raju Singh R/o Village - Bhatu Bigha, P.S - Ben, District - Nalanda
 2. Prince Kumar @ Prince Singh S/O Raju Singh R/o Village - Bhatu Bigha, P.S - Ben, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners apprehend their arrest in Ben P.S. Case No. 18 of 2026, registered for the offence punishable under Sections 324(3), 329(4), 190, 191(2), 191(3), 126(2), 352, 351(2), 74, 324(4), 115(2) & 109(1) of B.N.S. and Section 27 of Arms Act.

3. As per F.I.R. informant namely, Suman Devi alleged that on 24.01.2026, at about 11:00 PM, all the accused persons including these petitioners came and dragged her out of her house and asked her to withdraw the case, lodged against them (accused persons), for previous disputes. On protest,



accused persons caught hold of her hair and assaulted her, as a result of which, she sustained injuries on her head and both hands, but anyhow, she managed to escape from there and locked herself in the house. Thereafter, accused persons armed with guns and pistols made indiscriminate firing and lastly, they abused the informant and threatened her with dire consequences and fled away from the spot.

4. Learned counsel for the petitioners submits that on account of land dispute between the parties, petitioners have been falsely implicated in this case. Allegation of assault is general & omnibus and no specific overt act has been alleged against these petitioners. Similarly situated co-accused Priyanshu Kumar has already been granted anticipatory bail by this Court, vide order dated 13.05.2026 passed in Cr.Misc. No. 34144 of 2026.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioners are named in the F.I.R. with specific accusation that they abused & assaulted informant and also made indiscriminate firing at the house of informant. Said occurrence was also captured in the CCTV footage in which petitioners were also seen dragging the informant. Number of witnesses have supported the prosecution



case and identified these petitioners. Besides this, petitioner no. 1 has got two criminal antecedent, whereas petitioner no. 2 has got four criminal antecedent.

6. Considering the nature of accusation and criminal antecedent, the prayer for anticipatory bail of petitioners is rejected.

(Prabhat Kumar Singh, J.)

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