

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41828 of 2026

Arising Out of PS. Case No.-465 Year-2025 Thana- NAWADAH COMPLAINT CASE
District- Nawada

Pravesh Kumar, Son of Bhagirath Prasad, Resident of Village-Chaurasiya,
Rambazar Majhwe, P.S.- Hishua, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

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

For the Complainant : Mr. Bibhuti Ranjan Sonvadra, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026 Heard the parties.

2. The accused/petitioner is named in the complaint and apprehending his arrest in connection with Complaint Case No.465 of 2025 in which cognizance has been taken for the offences punishable under Sections 316 (2) and 318(2) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. It is a private complaint arising out of land dispute, where summon was issued by the Court.

4. Considering the legal ratio of Hon'ble Supreme Court as available through **Om Prakash Chhawnika @ Om Prakash Chabnika vs. State of Jharkhand and Another**



[2026 SCC OnLine SC 676], as police has no power to arrest in the case of private complaint subject to exception of Section 87 of the CrPC, accordingly, the prayer of anticipatory bail as preferred by the petitioner stands rejected, being not maintainable in want of apprehension of arrest.

(Chandra Shekhar Jha, J.)

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