

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38836 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- BANNUBAGICHA District- Lakhisarai

Chhotu Kumar @ Niraj Kumar, S/O Krishandeo Yadav @ Krishandev Yadav,
R/V - Teteriya, PS - Bannubagicha, Dist - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Bannubagicha P.S. Case No. 9 of 2026 registered for the offences under Sections 191(2), 190, 126(2), 115(2), 109(1), 75, 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, it is alleged that the named accused persons, including the petitioner, had initially misbehaved with the informant's side and made comments on the ladies present there and when the same was objected to, they started assaulting and causing injuries.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident as alleged had occurred. It has further been submitted



that there is no specific allegation against the petitioner and in fact, there is a general and omnibus allegation of assault. From perusal of the injury report, which has been brought on record by way of Annexure-2 series, the injuries were found to be simple in nature. It has lastly been submitted that the petitioner had clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Bannubagicha P.S. Case No. 9 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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