

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43028 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- KAKO District- Jehanabad

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Ankit Kumar S/o Raushan Kumar Resident of Village - Bhelawar, P.S. -
Kako(Bhelawar), District - Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 03-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Kako (Bhelawar) P.S. Case No. 68 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2), 351(3) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The allegation against petitioner is to assault the informant and her family members by means of iron rod, lathi etc. and when the father, mother and brother of the informant came to rescue her upon her cry, all the accused persons including petitioner assaulted them causing head and bodily injury.

4. Learned counsel appearing on behalf of the petitioner



submitted that allegation against petitioner is to assault the informant alongwith co-accused namely, Sankit Kumar. It is pointed out that upon medical examination, nature of injury upon the informant namely, Urvashi Kumari was found simple in nature, which not appears repeated.

5. It is further argued that the nature of injury creates a doubt *qua* allegation as the informant specifically alleged that two co-accused persons including this petitioner assaulted repeatedly with iron rod upon her. It is submitted that allegation to assault the parents and brother of the informant is appearing very much general and omnibus in nature as same appears available against all the co-accused persons.

6. It is pointed out that the occurrence, which is basically free-fight in nature, where both parties received injury and for same set of occurrence, petitioners' side also lodged a case against the informant, which was registered as Kako P.S. Case No. 72 of 2026.

7. While concluding argument, it is submitted that allegation *qua* snatching golden chain from the neck of the informant and holding hand of the informant is just to an aggravate the allegations. Petitioner claimed clean antecedent.

8. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

9. In view of the aforesaid factual submissions and by taking note of nature of injury and also nature of allegation *qua* physical assault, which is appearing very much general and omnibus in nature against the petitioner as to assault the informant and her family members during the course of occurrence, where occurrence was free-fight in nature *prima facie* negating intention to cause death, accordingly, above-named petitioner, who is man of clean antecedent, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jehanabad/concerned court in connection with Kako (Bhelawar) P.S. Case No. 68 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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