

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41952 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- MORKAHI District- Khagaria

Shivam Kumar S/o- Sanjay Yadav Village- Amni, Ward N.07, P.S.- Mansi,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roshan Kumar Mishra, Advocate
For the State : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Morkahi P.S. Case No. 173 of 2025 instituted under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the petitioner is said to have assaulted the victim on the head causing injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is a land dispute between the parties.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the nature of allegation and the fact



that the petitioner had assaulted the victim causing head injury,
this is not a fit case for grant of anticipatory bail.

7. Accordingly, the application stands dismissed.

8. It is, however, clarified that the observations made
herein are limited to the adjudication of the present bail
application and shall not prejudice the case of the petitioner at
any subsequent stage of the trial and this Court has not express
any opinion on the merits of the case.

(Sandeep Kumar, J)

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