

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42668 of 2026

Arising Out of PS. Case No.-295 Year-2026 Thana- SAHARSA SADAR District- Saharsa

Pritam Kumar @ Amarjeet Kumar S/O Prabhu Das R/Village- Nariyar Kahra,
Sadar Tola Lotha Ward No. 5 Kahra, P.S. and Distt.- Saharsa at Present
Residing Near Baijnathpatti Ward No. 14, Simraha, P.S. and Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Shiva Shankar Sharma, Advocate
For the State	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 01-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Saharsa Sadar P.S. Case No. 295 of 2026 for allegedly
having committed offences under Sections 115(2), 126(2),
117(2), 109, 352 and 3(5) of B.N.S., 2023.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant, to
the effect that on way home, he was intercepted by 5-7 persons
and they started using filthy language against the informant. In
the meanwhile, the petitioner took out a pistol from his waist
and assaulted the informant on his right hand with the pistol,
due to which his hand was fractured. It has been further alleged



that co-accused, Subhash Yadav also took out a pistol from his waist and assaulted the informant on his head with butt of the pistol, due to which he sustained injuries on his head. When the informant started to flee away from there, some unknown persons chased him and assaulted on his back with a knife, due to which he sustained injuries on his back.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that although the occurrence is said to have taken place on 13.03.2026, however the First Information Report has been lodged on 19.03.2026. He submits that both the petitioner and the informant used to work in Chhattisgarh and the informant had taken a loan of Rs.15,000/- from the petitioner and whenever the same was being demanded by the petitioner, it was not returned by the informant. For return of the said money, a *panchayati* was also called, wherein the informant threatened the petitioner to teach him lesson. It is further submitted that even from the injury report, which has been brought on record by way of Annexure-P/2 to the present anticipatory bail petition, it would transpire that the injuries sustained by the informant have been found to be simple in nature and that too on his back. The learned counsel for the



petitioner further submits that the petitioner is involved in one more case bearing Saharsa Sadar P.S. Case No.403 of 2022 in which he is on bail.

5. *Per Contra*, the learned APP appearing on behalf of the state opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner with an intention to kill the informant assaulted him with pistol.

6. Having considered the rival submissions and after going through the records, it appears that the allegation against the petitioner is of assaulting on the right hand of the informant with pistol, however no such injuries have been found by the doctor. The doctor has found some injuries on the back of the informant, however the same have been attributed against unknown persons and even the injuries found on the back have been found to be simple in nature.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No.295 of 2026, subject to the conditions laid



down under Section 482(2) of the B.N.S.S with a further condition that:-

The learned court concerned 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 concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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