

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45347 of 2026

Arising Out of PS. Case No.-646 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1. Shubham Kumar @ Akash Kumar son of Raju singh Resident of village - Khalpura, P. S - Muffasil, District - Saran
2. Suraj Kumar son of Raju singh Resident of village - Khalpura, P. S - Muffasil, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case under Section 302 of the IPC read with others sections. It is next submitted that informant alleges that eight named accused persons including the petitioners intercepted him at 8:00 PM on 04.12.2025 and threatened not to produce witnesses in Chapra Muffasil PS Case No. 940 of 2023 or else he will be killed, on protest, Suraj



(petitioner no. 2) assaulted him by knife causing injury on neck and Krishna assaulted by sickle on neck causing injury.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute which is existing from before. It is further submitted that mother of petitioners had instituted Muffasil PS Case No. 641 of 2025 dated 05.12.2025 against the informant and his side, as such, the instant FIR came to be instituted by way of counterblast. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that specific allegation of assaulting the informant by knife causing injury on neck is against petitioner no. 2 and Krishna is not a petitioner in the instant case. It is thus submitted that no specific allegation of assault is alleged against petitioner no. 1.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners and submits that petitioners in the instant case are an accused in Chapra Muffasil PS Case No. 940 of 2023, which is instituted under Section 302 of the IPC read with others sections. It is also submitted that though petitioner no. 1 is not alleged to have assaulted the informant but then specific allegation of assaulting the



informant is against petitioner no. 2 and Krishna by knife and sickle causing injury on neck. It is thus submitted that presence of the petitioner no. 1 along with other accused at the place of occurrence emboldened Suraj and Krishna of committing the occurrence of assault by a sharp edged weapon. It is also submitted that since petitioners are involved in Muffasil PS Case No. 940 of 2023, as such, they threatened the informant not to produce witnesses in the case. It is also submitted that investigation in the case is continuing.

6. After hearing the learned counsel for the parties, the Court is in complete agreement with the submission made by the learned APP and thus is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the application stands rejected.

(Satyavrat Verma, J)

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