

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43653 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- KANKARBAG District- Patna

Mohan Kumar S/O Gautam Prasad Resident Of Village - Bairia, P.S-
Gopalpur, Dist Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shivjee Singh, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 109(1) and 132 of the B.N.S..

3. The prosecution case, in brief, is that on the directions of the District Magistrate, Patna, the informant was deputed as Magistrate for removal of encroachment in front of Viklang Bhawan Hospital near Phanishwar Nath Renu Park, Wad No. 35, Kankarbhag, Patna and on the said directions, on 09.02.202026 at about 11 AM, informant, along with City Magistrate, Deputy Superintendent of Police and other government officials and police force, was engaged in the work of removal of encroachment of *Jhuggi Jhopri* and in the



meantime, 20 to 30 unknown slum dwellers became agitated and started pelting stones upon the officials and police personnel due to which several personnel sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is not named in the F.I.R.. Name of petitioner transpired in this case during investigation merely on the basis of confessional statement of co-accused Prakash Sahni. Save and except confessional statement there is no material on record to show the complicity of this petitioner in the alleged occurrence. Moreover, allegation of pelting stone is general and omnibus and no specific accusation of overt act has been levelled against this petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and general and omnibus nature of accusation, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Patna in connection with Kankarbag P.S. Case No. 109 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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