

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48287 of 2026

Arising Out of PS. Case No.-316 Year-2026 Thana- NAWADA District- Nawada

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Bipin Bihari Son of Late Mohan Sharan Singh Resident of Mohalla- Prasad
Bigha, Main Road, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Nawada P.S. Case No.316 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 110, 232, 308(3), 303(2), 74 and 3(5) of the BNS.

3. On the given date and time of occurrence, the informant, while returning home after attending the training of Nyay Mitra, is alleged to have been intercepted by all the accused persons, including the present petitioner, upon reaching near her house. It is alleged that the accused persons surrounded the informant and threatened her to withdraw the earlier case instituted by her and they also demanded a ransom of Rs.10,00,000/-. It is further alleged that the accused persons wrapped a gamcha around the informant's neck and attempted to



strangulate her. There is also an allegation of snatching away her valuables.

4. Learned Advocate for the petitioner submitted that the petitioner and the husband of the informant are own brothers, and the genesis of the present occurrence is nothing but an old partition dispute between the family members. It is contended that, being dissatisfied with the partition, the informant has instituted the present case with an ulterior motive to wreak vengeance and exert undue pressure upon the petitioner. The reason behind negating the prayer for anticipatory bail of the petitioner by the court below is said to be a suppression of one criminal antecedent. However, it is an admitted position that, so far as Kotwali P.S. Case No. 374 of 2017 is concerned, the dispute had already been amicably settled between the parties, and the said fact had also been brought to the notice of the learned court below. Consequently, the petitioner was under the *bona fide* impression that the said case had already been closed. It is also submitted that although the petitioner has two criminal antecedents, as duly disclosed in paragraph 3 of the bail application, he has already been granted bail in both the cases. It is lastly contended that there is no specific allegation against the petitioner of either assaulting the



informant or snatching any money or valuables.

5. On the other hand, learned Advocate for the State vehemently opposed the prayer for anticipatory bail and submitted that the petitioner had suppressed his criminal antecedent before the learned court below and, therefore, does not deserve the privilege of anticipatory bail.

6. Having regard to the rival submissions advanced on behalf of the parties, the nature of the accusations, and the clarification furnished in paragraphs 10 and 11 of the anticipatory bail application, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada P.S. Case No.316 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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