

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51088 of 2026

Arising Out of PS. Case No.-314 Year-2025 Thana- LAKHAURA District- East Champaran

Vinek Kumar @ Ramvinay Kumar Son of Rajnarayan Rai Resident of
village- Jagirha Kamralla Ps- Lakhaura District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deep Anshuman, Advocate
For the Opposite Party/s	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Rajesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard Mr. Deep Anshuman, learned Advocate for the petitioner and learned Additional Public Prosecutor for the State. The informant is represented through Mr. Rajesh Ranjan, learned Advocate.

2. The petitioner apprehends his arrest in connection with Lakhaura P.S. Case No. 314 of 2025, registered for the offenses punishable under Sections 115(2), 126(2), 304, 117(2), 76, 118(2), 109, 352, 351(2), 3(5) and 103(1) of the B.N.S.

3. Allegedly on the given date and time of occurrence, the petitioner along with other variously armed, barged into the house of the informant and assaulted the informant and others. It is specifically alleged that this petitioner assaulted the informant by means of sword over his head, due to which he sustained



serious injuries. In the said incidence one Subhnarayan Rai who was assaulted by all the accused persons, succumbed to the injuries during the course of treatment.

4. Learned Advocate for the petitioner submits that there is counter -version of the present case being Lakhaura P.S. Case No. 315 of 2025 instituted by the petitioner's father against the informant and others. Moreover, the alleged occurrence took place on 30.10.2025 but the present FIR came to be instituted on 02.11.2025, after a delay of two days. So far the allegation of causing assault to Subhnarayan Rai is concerned, that has been attributed omnibusly against all the accused persons and no specific overt act has been attributed to the petitioner.

5. On the other hand, learned Advocate for the informant submitted that besides there is specific accusation against the petitioner of causing assault over the head of the informant; in the said incidence, one person lost his life and this petitioner is also carrying criminal antecedent and as per his instruction, now the process under Section 84 of the BNSS has already been issued.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the nature of the allegation leveled against the petitioner,



coupled with the fact that on account of assault led by the accused persons including the petitioner, one person has lost his life, besides the process under Section 84 of the BNSS has already been issued, as also one criminal antecedent of the petitioner, this Court is not acceded to the prayer for grant of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail to the petitioner stands rejected.

7. However, if the petitioner surrenders before the court below, preferably within a period of four weeks from today, his prayer for bail shall be considered without being prejudiced by the order of this Court.

(Harish Kumar, J)

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