

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51356 of 2026

Arising Out of PS. Case No.-105 Year-2026 Thana- BARHIYA District- Lakhisarai

1. Lalan Kumar @ Lalu Son of Krishnandan Singh Resident of Village- Khuthadih, P. S. - Barahiya District- Lakhisarai
2. Golu Kumar son of Ranjeet singh Resident of Village- Khuthadih, P. S. - Barahiya District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Barahiya P.S. Case No. 105 of 2026, dated 29.04.2026, lodged under Sections 126(2), 115, 303(2), 352, 351(2), 308(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of A.C.J.M.-1st, Lakhisarai.

3. As per the prosecution story, when the informant was returning after delivering soil to the brick kiln, he was carrying Rs. 1,25,000/-. Accused Lalan Kumar @ Lalu, Saurav Kumar, Dhananjay Kumar, and Golu Kumar stopped him, and at



gunpoint, all the accused persons started assaulting him. They left him there in an injured condition. Later on, he discovered that only Rs. 26,900/- was left, and the remaining amount was taken away by the accused persons. The accused persons also threatened the informant with dire consequences.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that the parties are next-door neighbours. Counsel further submits that there was a free fight between the parties earlier, in which both sides sustained injuries. Counsel further submits that there is a case and counter-case between the parties. Counsel also submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that there is a case and counter-case between the parties.

6. Considering the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

7. Liberty is hereby granted to the petitioners that, if they surrender within six weeks, the Trial Court is directed to



pass an order on their surrender-cum-bail application on the same day without being prejudiced by the fact that the anticipatory bail application of the petitioners has been rejected by this Court. The Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

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