

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51693 of 2026

Arising Out of PS. Case No.-13 Year-2026 Thana- Paivigha District- Gaya

Ajit Kumar Son of Rambali Prasad Resident of Village- Khojpura, P.S.-
Paibigha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Paibigha P.S. Case No. 13 of 2026 dated 27.03.2026 registered for the offence punishable under Section/s 191(2), 191(3), 190, 126(2), 115(2), 109, 132, 352, 351(2) of the B.N.S., 2023.

3. The prosecution case, in brief, is that on 27.03.2026, while the informant, a police personnel, was on law and order duty during a Ram Navami procession, one Deepak Kumar @ Cholni allegedly assaulted him with a lathi when he intervened to rescue two bike riders, who were being beaten by the procession participants. It is alleged that the informant sustained injuries on his head, neck and temple.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the instant case. Learned counsel for the petitioner by referring to the allegation made in the F.I.R. submits that no overt act has been attributed to the petitioner rather the specific allegation of assault is against the co-accused, Deepak Kumar @ Chholni. It is further submitted that the petitioner was merely identified as being part of the Ram Navami procession and, except this, there is nothing against him. It is next submitted that the injury which is said to have been sustained by the Informant, who is a police personnel, is not attributable to the petitioner while the injuries have been found to be simple in nature. It is the case of the petitioner that the petitioner has four antecedents out of which in two of them i.e. Makhdumpur P.S. Case No. 444 of 2018 and Makhdumpur P.S. Case No. 45 of 2019, he has been acquitted, in one case being Mean P.S. Case No. 67 of 2022 he is on bail while the last one i.e. Paibigha P.S. Case No. 14 of 2026 is pending.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that no specific allegation of assault or overt act has been attributed against the petitioner except that he was allegedly a member of the Ram Navami procession, let the petitioner, above named, be released on anticipatory bail in the



event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Paibigha P.S. Case No. 13 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

rishi/-

U		T	
---	--	---	--

