IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76445 of 2026

CNR No. BRHC011090072026

Arising Out of PS. Case No.-129 Year-2026 Thana- BEN P.S. District- Nalanda

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Laxman Kumar Singh @ Laxman Kumar @ Laxman Singh Son of Govind Singh Resident of Village- Bhatu Bigha, P.S.- Ben, District- Nalanda

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP
For the Informant/s : Mr. Ranjay Kumar Singh, Advocate
Mr. Fardeen Abbas, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in Ben P.S. Case No. 129 of 2026 instituted for the offences under Sections 115(2), 117(2), 118(1), 109(1), 190, 191(2)(3), 74, 75, 76, 62, 329(2)(3), 352, 351(3) and 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that 23.05.2026, co-villagers forcefully entered informant’s home, dragged her out, and attempted to rape her. When her husband intervened to rescue her, co-accused persons, namely, Avinash Kumar and Miktil Kumar struck him with an iron rod and dagger. It is also alleged that co-accused, Miktil Kumar robbed his mobile phone.

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4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to land dispute between the parties. There is a case and counter case between the parties. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation of assault and attempt to murder is against co-accused persons, namely, Kushal Raj @ Prince and Abhinash Kumar. Learned counsel for the petitioner submits that altogether there is six injuries sustained by informant's husband out of which only one injury is grievous in nature. Charge-sheet has been submitted in this case. The petitioner is in custody since 04.08.2026 and has six criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ben P.S. Case No.

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129 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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