IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76227 of 2026

CNR No. BRHC011094012026

Arising Out of PS. Case No.-260 Year-2026 Thana- NAYAGAON District- Saran

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Jitendra Kumar @ Jitendra Kumar Ray S/o Ashok Ray Resident of Village- Abdulhi Shaikh Dumri, P.S.- Nayagaon, District- Saran, State- Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard learned Counsel for the petitioner and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Nayagaon P.S. Case No. 260 of 2026, lodged on 28.08.2026, under Sections 126(2) /115(2)/ 118(1) /109(1) / 303(2)/352/3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two named and one unknown accused persons. Petitioner is named in the FIR. It is alleged that petitioner has kept knife with him and all of a sudden he attacked with knife on the

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stomach of the informant with a view to kill, due to which the informant sustained injury. Thereafter, he snatched Rs.40,000/- from him as well as gold chain from his neck. Further allegation is that petitioner and other accused persons have threatened the informant that if case has been lodged then they shall kill him.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that for the same date and place of occurrence, there is case and counter case from the informant and petitioner side. Counsel submits that for the occurrence took place at 8:00 PM night of 28.07.2026 the petitioner side had filed criminal case against the informant and it has been categorically indicated that again in the night of 10:00 PM they have assaulted the petitioner and snatched golden chain and cash from the possession of the petitioner. Counsel submits that when they received information that FIR has been lodged by him the informant has filed the present case with a view to defend from the allegation made by the petitioner. Counsel submits that the police in connivance with the informant has numbered the FIR of the informant earlier than the petitioner. Otherwise, from the content of the FIR it is clear that occurrence with the petitioner had taken place at 8:00 PM and alleged occurrence with the

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informant taken at 9PM. Counsel submits that antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

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

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Sri Naveen Kumar Gautam, learned Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Nayagaon P.S. Case No. 260 of 2026, subject to the conditions as laid down U/s 482(2) of the BNSS**,** 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the

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acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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