IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77724 of 2026

CNR No. BRHC011113712026

Arising Out of PS. Case No.-354 Year-2021 Thana- NADI P.S. District- Patna

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1. Sanjay Kumar @ Yuvraj S/O Vishwanath Rai R/O Village- Jethuli, PS- Nadi, District- Patna
2. Vicky Kumar S/O Vishwanath Rai R/O Village- Jethuli, PS- Nadi, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Soni Kumari, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Nadi P.S. Case No. 354 of 2021 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

3. The case of the prosecution in short as per the informant is that on 29.11.2021 at about 03.30 P.M the sons of Jailal Rai and Ramjivan Rai and their family members where beating the informant's uncle namely Tekanand Rai and his cousin brother namely Vishwajeet Kumar in street when the informant reached there. He saw that his cousin brother Vishwajeet Kumar was lying senseless on the ground and they where beating Tekanand Rai, Jailal

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Rai and Ramjeevan Rai order to killed thereafter Kallu Rai @ Satendra Rai assaulted the informant (Deepak Kumar) with butt of the pistol on his head. Ranjan Kumar @ Goldy Kumar assaulted with showered on the hand of the informant. Laldeo Rai and Anjay Rai, Sonu Kumar, Sanjay Kumar, Vicky Kumar, Raushan Kumar, Bhushan Kumar, Shiv Rai, Sipahi Rai Rajan Kumar, Rajesh Kumar attacked with various weapon. Subhash Kumar snatched a gold chain and Rs.10,000/- from the informant. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. They have falsely been implicated in the present case. He further submits that the petitioners have no criminal antecedent. Learned counsel for the petitioners submits that there is no specific allegation of assault against the petitioners and there is no allegation of specific weapon in the hand of the petitioners. Learned counsel for the petitioner also submits that the aforesaid case is counter blast to Nadi P.S. Case No. 352 of 2021 under Section 307 of the Indian Penal Code lodged by Janty Kumar the son of co-accused Rajan Kumar against Ramanand Rai who is father of the aforesaid informant Deepak Kumar, Tekanand Rai (the uncle of the informant) and others. Learned counsel for the petitioners lastly submits that the others co-accused persons similarly situated has been granted anticipatory bail by this Court.

5. Learned A.P.P. for the State opposes the prayer of

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anticipatory bail.

6. FIR was registered in the year 2021. the petitioners had moved for anticipatory bail before the Sessions Court, Patna City, which stood rejected in the year 2022. Some of the co-accused persons were however granted anticipatory bail by this Court vide order dated 09.10.2023 passed in Cr. Misc. No.28824 of 2023.

7. Under these factual circumstance, the petitioners are unable to explain as to why they have approached this Court after five years of lodging of the FIR and nearly after four years from the date of rejection of the anticipatory bail by the court below. There was never any apprehension of arrest and perhaps that is why the petitioners did not bother to file anticipatory bail application before this Court.

8. Under these circumstances, this Court is not inclined to entertain this application, it is accordingly rejected.

(Alok Kumar Sinha, J)

Prakash Narayan

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