IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76127 of 2026

CNR No. BRHC011123872026

Arising Out of PS. Case No.-382 Year-2026 Thana- BAKHTIYARPUR District- Patna

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Ankit Kumar Son of Umed Rai @ Kamed Rai Resident Of Village- Naya tola Po- Budhra Bariyarpur, Ps- Bakhtiyarpur, Dist- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.
For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. Petitioner is in custody in connection with Bakhtiyarpur P.S. Case no. 382/2026 registered for the offences punishable under Section 191(2), 191(3), 190, 126(2), 115(2), 109 and 308(2) of B.N.S. and Section 27 of the Arms Act.

3. As per the allegation in the FIR, on 04.06.2026 at about 12:00 P.M, the petitioner along with other co-accused persons came at the shop of the brother of the informant when the informant was inside the shop. The co-accused namely Manchan Kumar threatened the informant with a pistol and demanded three tractors sand chips along with Rs. 20,000/- (Rupees Twenty thousand only). When the brother of the

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informant arrived, then all the accused persons allegedly demanded Rs. 20,000/- (Rupees Twenty thousand only) from him and allegedly assaulted him. When the informant came to save his brother, then co-accused namely Piyush Kumar @ Rohit and Sanjay allegedly assaulted him with bricks, causing injury to him and co-accused namely Manchan Kumar assaulted him with the butt of the pistol, causing head injury and blood started oozing out from the head of the informant. The co-accused namely Manchan Kumar also shot fired a bullet on the brother of the informant but he dodged the bullet and the police also recovered an empty bullet shell from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to village politics. He next submits that the allegation against the petitioner is general and omnibus in nature and the petitioner was only a part of the mob. He further submits that chargesheet has already been submitted in this case. He next submits that the petitioner is in custody since 31.07.2026 and though the petitioner has two criminal antecedents but he is on bail in all the cases, as per the statement made in paragraph 3 of the bail application, therefore, the petitioner deserves the

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privilege of regular bail.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner along with co-accused persons created nuisance and he was also the part of the mob who assaulted the informant and his brother. He next submits that chargesheet has already been submitted against the petitioner in this case and there are two criminal antecedents against the petitioner, therefore, the petitioner does not deserve the privilege of regular bail.

6. Considering the aforesaid facts and circumstances of the case and on perusal of record of the case and since there is no specific allegation against the petitioner and allegation against the petitioner is general and omnibus in nature as well as considering the custody of the petitioner, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Court of A.C.J.M IIIrd at Barh in connection with Bakhtiyarpur P.S. Case no. 382/2026, subject to the following conditions:

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court

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and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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