IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80132 of 2026

CNR No. BRHC011124822026

Arising Out of PS. Case No.-54 Year-2025 Thana- Kinjar District- Arwal

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Gaurav Singh @ Gaurav Kumar son of Anil Singh Resident Of Village-Kinjar Bazar Ps -Kinjar Dist -Arwal

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Kinjar P.S. Case No. 54 of 2025 registered for the offences under Sections 103(1) and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant has alleged that on the eve of Holi, the petitioner along with his father had threw garbage from his roof, which led to the altercation resulting in death of the husband of the informant.

4. Learned counsel for the petitioner submits that the petitioner is an Air Force personnel and his name has falsely been given in the present case, though no case is made out against the petitioner. It has been submitted that no injury was

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found on the body of the deceased and the FIR was lodged after eight days of the alleged occurrence as an afterthought, giving the name of the petitioner. It has next been submitted that the father of the petitioner was granted anticipatory bail by a coordinate Bench of this Court passed in Cr. Misc. No. 65420 of 2025, wherein the court has taken into account that the death was caused due to intra cranial hemorrhage and the same was filed after a delay of eight days without any explanation. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the submission and the fact that there was delay in the lodging of FIR, as also no injury having been found on the body of the deceased, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Kinjar P.S. Case No. 54 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with

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corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.
(ii) The petitioners shall remain physically present in Court on each date of the trial.
(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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