IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78177 of 2026

CNR No. BRHC011128802026

Arising Out of PS. Case No.-18 Year-2026 Thana- BEN P.S. District- Nalanda

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Shivam Kumar Son of Birendra Singh Resident of village - Basti, P.S.- Harnaut, District - Nalanda.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Babu Nandan Prasad
For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 30-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 329(3), 329(4), 190, 191(2), 191(3), 126(2), 109(1), 115(2), 352, 351(2), 74, 324(4) of the BNS and Section 27 of Arms Act.

3. As per F.I.R., on 24.01.2026, at about 11:00 PM, all the accused persons named in the F.I.R. including this petitioner came and dragged informant out of her house and asked her to withdraw the case, lodged against them (accused persons), for previous disputes. On protest, accused persons caught hold of her hair and assaulted her, as a result of which, she sustained injuries on her head and both hands, but anyhow, she managed

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to escape from there and locked herself in the house. Thereafter, accused persons armed with guns and pistols made indiscriminate firing and lastly, they abused informant and threatened her with dire consequences and fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that on account of land dispute between the parties, petitioner has falsely been implicated in this case. Allegation of assault is general and omnibus in nature. There is no specific overt act has been alleged against this petitioner. Similarly situated co-accused has been granted bail by this Court, vide order dated19.09.2026 passed in Cr.Misc. No. 67547 of 2026.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nalanda at Biharsharif / Court Concerned, Nalanda at Biharsharif in connection with

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Ben P.S. Case No. 18 of 2026, subject to condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Prabhat Kumar Singh, J)

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