IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79844 of 2026

CNR No. BRHC011162992026

Arising Out of PS. Case No.-176 Year-2026 Thana- SARMERA District- Nalanda

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Vijay Kumar @ Rakesh Kumar Son of Ram Uchit Kewat Resident of Village-Chhatarpur, P.S.- Bind, District- Nalanda

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anil Kumar No. I
For the Opposite Party/s : Mr.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Sarmera P.S. Case No. 176 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2), 3(5) of BNS.

3. The prosecution case, in brief, is that on 02.08.2026 at about 10:00 PM, during a partition dispute, the petitioner assaulted the informant's brother, Kaushal Kewat, and when the informant and his family members intervened, the petitioner and co-accused persons assaulted them with *lathi*, *danda*, causing head injuries.

4. The learned counsel for the petitioner submits that

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the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. The allegation against him is general and omnibus in nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. From the reading of the FIR, it appears that the allegation against the petitioner is of assaulting brother of the informant, namely, Kaushal Kewat, who has not sustained any injury. Co-accused Sugo Kewat, who said to have assaulted the informant, his brother, his sister and sister-in-law, has already been granted anticipatory bail vide order dated 28.10.2026 passed in Cr. Misc. No. 75082 of 2026. The petitioner also bears no criminal antecedent. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Sarmera P.S. Case No. 176 of 2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya

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Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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