

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85938 of 2025

Arising Out of PS. Case No.-265 Year-2024 Thana- KHAIRA District- Saran

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1. Nazim Hussain @ Nazib Hussain S/o Nazam Miyan R/o Village - Khaira, P.S - Khaira, District - Saran
 2. Deepu Prasad @ Dipu Kumar S/o Ramjee Prasad @ Ramji Prasad R/o Village - Khaira, P.S - Khaira, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravi Kant Singh S/o Ranjit Kumar Singh R/o Village - Mira Musehari, P.S - Chhapra (Mufassil), District - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rakesh Singh
For the Opposite Party/s :	Mr.Madhura Nand Jha- A.P.P.
	Mr.Milind Raj Dixit
	Mr.S.K.Chaubey
	Mr.Punit Rajan Dixit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 24-04-2026 1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in Khaira P. S. Case No.265 of 2024 registered for the offences punishable under Sections 109, 303(2), 126(2), 115(2), 118(1), 118(2), 352, 351(2), 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and in



sum and substance the allegation is that petitioners caught the informant and Nikhil stabbed him. Further, Vinit stabbed the brother of informant namely Anuj.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that specific allegation of stabbing the informant is against Nikhil and Vinit is alleged to have assaulted Anuj but then as far as these petitioners are concerned, they are alleged to have caught the informant, hence allegation of stabbing is not against them. It is also submitted that police after investigation submitted final form exonerating the petitioners and Nikhil of the allegations as alleged in the FIR, but then the learned Trial Court differing with the police report took cognizance based on which petitioners apprehend arrest. It is further submitted that when one investigating agency after investigating the case came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail when they are not alleged to have stabbed the victim.



5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant vehemently opposes the anticipatory bail application and submits that no doubt final form was submitted by the police in favour of the petitioners and Nikhil exonerating them of the allegations but then in the FIR, it is specifically alleged that informant and his brother Anuj were stabbed by Nikhil and Vinit. It is also submitted that injury suffered by the injured has been opined to be grievous in nature. It is next submitted that the learned Trial Court differing with the police report has taken cognizance. It is also submitted that though petitioners are not alleged to have stabbed the victim but then are alleged to have caught the victim on account of which it became easy for Nikhil and Vinit to commit the occurrence of stabbing. It is also submitted that it absolutely does not stand to reason that as to why the informant would have implicated someone who had not stabbed him and was not associated with the occurrence.

6. Considering the submissions made by the learned A.P.P. as well as the learned counsel appearing on behalf of the informant, the Court is not inclined to extend



the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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