

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86168 of 2025

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

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1. Nikhil Kumar Chaurasiya @ Nikhil Bhagat @ Nikhil Kumar Bhakta Son of Babban Chaurasiya @ Babban Bhakta Resident of Village - Khaira, P.S.- Khaira, District - Saran.
 2. Guddu Chaurasiya Son of Jayanath Chaurasiya Resident of Village - Khaira, P.S.- Khaira, District - Saran.
 3. Javed Mian Son of Hakka Miyan Resident of Village - Khaira, P.S.- Khaira, District - Saran.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Krishna Prasad Singh Mr. Rakesh Singh
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad- A.P.P. Mr. Milind Raj Dixit Mr. A.K. Mantu Mr. S.K. Chaubey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 01-05-2026 1. Heard learned senior 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 senior counsel for the petitioners



submits that the petitioners are persons with clean antecedent and in sum and substance the allegation is that Nazim and Dipu caught the informant and Nikhil stabbed him. Further, petitioner nos.2 and 3 caught the brother of the informant and Vinit stabbed his brother 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 and his brother is against Nikhil and Vinit, but then as far as petitioner nos.2 and 3 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 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 based when they are are not alleged to have stabbed the victim.

5. Learned A.P.P. Sri Chandra Bhushan Prasad 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 exonerating the petitioners has been submitted by the police 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 learned trial Court differing with the police report has taken cognizance. It is next submitted that though petitioner nos.2 and 3 are not alleged to have stabbed the victim but then are alleged to have caught the victim on account of which it became possible 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. After hearing the learned counsel for the parties,



the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

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

(Satyavrat Verma, J)

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