

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2100 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- JANDAHA District- Vaishali

1. Rakesh Singh @ Rakesh Kumar Singh Son of Late Nageshwar Singh R/O Village - Mahisaur, P.S.- Jandaha (O.P.- Mahisaur), District - Vaishali
2. Prince Kumar Son of Uday Singh R/O Village - Mahisaur, P.S.- Jandaha (O.P.- Mahisaur), District - Vaishali
3. Rupesh Kumar Son of Rambabu Ray R/O Village - Chak Sahauli, P.S.- Jandaha (O.P.- Mahisaur), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Manish Chandra Gandhi, Advocate
For the State	:	Mr. Ajay Mishra, APP
For the Informant	:	Mr. Subodh Kumar Jha, Advocate
		Mr. Pranav Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-03-2026 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The prayer for grant of anticipatory bail to Petitioner No. 2 has already been dismissed as withdrawn vide order dated 30.01.2026.

3. Petitioner Nos. 1 and 3 apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 117(2), 118(1), 109, 76, 303(2), 329(3), 351(2) and 3(5) of the B.N.S. and Section 27 of the Arms Act.



4. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, armed with deadly weapons, forcibly entered into house of informant and assaulted informant and his wife. It is further alleged that the accused persons also snatched gold chain.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Rest of the allegations are ornamental in order to make the case grave. Petitioner No. 3 has got no criminal antecedents.

6. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that they, along with other named accused persons, entered into house of informant, assaulted informant and his wife and snatched gold ornaments. Petitioner No. 1 has got 18 criminal antecedents.

7. Considering the facts and circumstances of the case and criminal antecedents of Petitioner No. 1, the prayer for grant



of anticipatory bail to Petitioner No. 1 is rejected.

8. So far as Petitioner No. 3 is concerned, considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to Petitioner No. 3 is allowed.

9. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 3 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 District and Additional Sessions Judge I, Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 49 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

10. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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