

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1942 of 2026

Arising Out of PS. Case No.-3 Year-2025 Thana- SURYAGARHA District- Lakhisarai

Kanhaiya Kumar Son of Late Dinesh Singh Resident of Village- Rampur,
P.S.- Suryagarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khushi Awadh, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Surajgarha P.S. Case No. 03 of 2025 dated 05.01.2025 registered for the offences punishable under Sections 191(2), 126(2), 115(2), 329(3) and 109(1) of the B.N.S. and under Section 27 of the Arms Act.

3. As per the prosecution case, the informant along with his brother was feeding cattle, in the meantime, the petitioner and other named co-accused persons variously armed with lathi, danda, rifle etc., came to the informant and started abusing and assaulting him and others. It is further alleged that one of the co-accused persons namely, Amar Kumar @ Amarjeet Kumar is said to have fired upon the informant which



hit on his right leg.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated with a general and omnibus allegation. It has further been submitted that there is a land dispute between the parties and only on account to settle the same, the present false and concocted case has been lodged. It has next been submitted that the injury sustained by the informant is said to have been caused by firearms allegedly fired by the co-accused, Amar Kumar. Learned counsel has further submitted that similarly situated co-accused person including the person who had fired from the rifle namely Amar Kumar has been granted bail by this Hon'ble Court. It has lastly been submitted that the petitioner has seven criminal antecedents and he is on bail in all the said cases. It has been pointed out that by way of supplementary affidavit, the details of the said case along with their status has been brought on record.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the



Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Surajgarha P.S. Case No. 03 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the



above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Lakhisarai, within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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