IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46582 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- AMNAUR District- Saran

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1. Rahul Kumar Son of Harishanker Rai Resident of Village- Jhakhra, P.S.- Amnour, District- Saran at Chapra
2. Nithish Rai @ Nitesh Kumar Son of Sohan Rai Resident of Village- Jhakhra, P.S.- Amnour, District- Saran at Chapra
3. Krishna Rai @ Krishna Kumar Son of Shila Rai Resident of Village- Jhakhra, P.S.- Amnour, District- Saran at Chapra

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL ORDER

4 21-08-2026 Heard the learned counsel for the petitioners, the learned counsel appearing on behalf of the informant and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Amnour P.S. Case No. 114 of 2026, for allegedly having committed offence under 126(2), 115(2), 118(1), 109(1), 352, 351(2), 3(5) of the B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that while he was returning to his house, all the accused persons, including the petitioners along with 3-4

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unknown persons armed with stick, dab, pistol and iron rod started assaulting him. It has been alleged that the petitioner no. 1 armed with an iron rod assaulted on his head, due to which he sustained injuries on his head and blood stated oozing out. Thereafter all the names accused persons, including the petitioners and 3-4 unknown persons assaulted the informant with stick and thereafter the petitioner no. 1, who was armed with a pistol, fired at the informant, however he fled away.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. The present case is a counter-blast of Amnour P.S. Case No. 113 of 2026, instituted under different sections of the B.N.S., by the petitioner no. 1 against the informant. He submits that true fact is that the petitioner was using filthy language against the father of the informant which he objected due to which the informant assaulted the petitioner and others which led to registration of Amnour P.S. Case No. 113 of 2026.. He submits that the injuries sustained by the informant have been found to be simple in nature by the treating doctor. He next submits that the petitioner no. 1 is an accused in two other criminal cases, however he is on bail in both the cases. He further submits that so far the petitioner no. 2 and 3 are

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concerned, they have got a clean antecedent.

5. *Per contra,* the learned counsel appearing on behalf of the informant submits that there is direct allegation of assault and firing against the petitioner no. 1. The injuries sustained by the informant have been found to be on the vital parts of the body i.e. temporal bone. He further submits that the petitioner no. 1 has got two criminal antecedent and therefore the petitioners do not deserve the privilege of anticipatory bail.

6. The learned APP for the State, while opposing the prayer for anticipatory bail of the petitioners, submits that the petitioner no. 1 has got two criminal antecedent and there is direct allegation against them of assaulting the informant.

7. Having considered the rival submissions and after going through the record, it appears that there is a case, counter case in between the parties. The petitioner no. 1 lodged Amnour P.S. Case No. 113 of 2026 and in retaliation, the present case has been lodged by the informant. From perusal of the injury report, which is appended with the case diary, it would transpire that the doctor, who treated the informant found the injuries to be simple in nature. Considering the above, let the above named petitioners, in the event of their arrest or surrender within a period of six weeks, be released on anticipatory bail in

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connection with Amnour P.S. Case no. 114 of 2026, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.1st, Saran at Chapra, subject to the condition laid down under Section 482(2) of the B.N.S.S., and subject to the following condition:-

(I) That the learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the Court concerned shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

shital/- **(Ritesh Kumar, J)**

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