

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.746 of 2026.

Sharwan Kumar Gupta

..... **Petitioner.**

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

02 19-02-2026

- 1.** The **petitioner, Sharwan Kumar Gupta**, seeks anticipatory bail in connection with **Gardanibagh P.S. Case No.569 of 2025**, registered under Sections 74, 115(2), 303(2), 351(2), read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- 2.** As per the prosecution case, the informant, Kalawati Kumari, alleges that on 13.07.2025 at around 12:00 PM, her neighbors, Sharwan Kumar Gupta (petitioner) and Jitendra Prasad Gupta (co-accused), along with six others, assaulted her and her husband, Uday Shankar Prasad, with iron rods and sticks, causing serious injuries to their heads and bodies. It is further alleged that the petitioner snatched a gold chain weighing one bhar from the informant's neck and forcibly took ₹1,000/- from her husband's pocket. The dispute arose when water was being poured through a pipe onto the informant's land and house, and her husband objected. Following this, the accused persons allegedly entered their house, dragged the informant by her hair, threw her down, and partially disrobed her. She was rescued by her children and neighbours.
- 3.** Learned counsel for the petitioner submits that the only non-bailable offences involved are under Sections 74 and 303(2) of the BNS, which carry a maximum punishment of five years' imprisonment. He further contends that the FIR was lodged belatedly on 10.10.2025, nearly three months after the alleged incident of 13.07.2025. The petitioner had earlier submitted an application to the police on 12.08.2025, but no case was registered at that time. Subsequently, upon approaching higher authorities, Gardanibagh P.S. Case No.497 of 2025 was instituted on

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06.09.2025, in which charge sheet has already been filed. Learned counsel also emphasizes that the petitioner has a clean criminal record.

4. For a better appreciation of this anticipatory bail petition, office is directed to **call for Trial Court Record** from the court concerned along with **criminal antecedent** of accused-petitioner from I.O of the case.
5. At this juncture, learned counsel for the petitioner prays for interim protection from arrest.
6. Having regard to the facts and circumstances of the case; the nature of the offences and the severity of punishment prescribed in the event of conviction; the submissions advanced on behalf of the petitioner more particularly the defence; that charge sheet has been submitted and; the petitioner's clean antecedent, ***interim protection from arrest is granted to the petitioner in connection with Gardanibagh P.S. Case No.569 of 2025 till the next date.*** The petitioner, however, is directed to cooperate with the Investigating Officer and to make himself available as and when required by the police.
7. Re-notify this case on 06.03.2026.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Judgment/Order	19-02-2026
Date of Reserving Judgment/Order	NA
Uploading Date	19-02-2026
Uploaded by	Amjad/-