

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2290 of 2026.

1. Sahil Kumar, S/o- Randhir Rai

2. Sahil Kumar, S/o- Dev Hans Prasad Petitioners.

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

05 01-07-2026

1. The petitioners seek anticipatory bail in connection with **Digha P.S. Case No. 292 of 2026**, registered under Sections 109(1), 115(2), 126(2), 308(3), read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. Heard Sri Manoj Kumar, learned counsel for the petitioners and Sri Rajesh Kumar, learned Public Prosecutor for the State.
3. The prosecution case, in brief, is that the informant, Birju Kumar, a tempo driver, was waiting for passengers on 03.04.2026 at about 11:30 A.M. when some passengers had already boarded his vehicle. At that time, Sahil Kumar (petitioner no. 1), accompanied by co-accused Sonu Kumar, Himanshu Rai @ Banda, and one unidentified person, allegedly approached him and demanded illegal extortion at the rate of Rs.100/- per trip. It is alleged that they insisted on immediate payment of Rs.200/-. When the informant refused, stating that he had not yet earned any fare, the accused persons threatened him with dire consequences. Upon his continued refusal, they allegedly assaulted him and warned that he would be killed if he continued to operate his tempo without paying rangdari. Subsequently, all four accused returned armed with lathis and dandas and again assaulted the informant. During this assault, co-accused Sonu Kumar allegedly struck the informant on the head with a danda, causing a bleeding injury, as a result of which the informant collapsed to the ground.
4. Learned counsel for the petitioners submits that the only non-bailable offence alleged is under Section 109(1) of BNS. It is further contended that a bare perusal of the FIR reveals that the allegations against the petitioners are general and omnibus in nature, except for co-accused Sonu Kumar, who alone is specifically attributed with inflicting the head injury on the informant. It is next submitted that co-accused Sonu Kumar has been granted regular bail by the Court of Ld. ACJM-IX, Patna. Learned counsel argues that the petitioners have been falsely implicated,

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petitioner no. 1 being an auto driver, and petitioner no. 2, who is not even named in the FIR running a gutka shop at the tempo stand. Moreover, both petitioners have clean criminal antecedents.

5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioners.
6. Vide order dated 30.05.2026 and its reminder dated 12.06.2026 & 22.06.2026, case diary was called for which has been received. Upon perusal of the case diary it transpires that the injury report of the informant Birju Kumar is not available. Even taking the FIR to be true, the specific accusation of assault is on co-accused Sonu Kumar who according to the learned counsel for petitioners has been granted bail by the Court of Ld. ACJM-IX, Patna.
7. Having regard to the facts and circumstances of the case; the nature of allegations being general and omnibus qua the petitioners; the submissions advanced on behalf of the petitioners; and their clean antecedents, the prayer for grant of anticipatory bail of the above-named petitioners is **allowed**. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	01-07-2026
Date of Reserving Order	NA
Uploading Date	01-07-2026
Uploaded by	Rahul Raj/-