

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2303 of 2026.

Bibhuti Bhushan Kumar

.....**Petitioner.**

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

03 16-06-2026

- 1.** The **petitioner, Bibhuti Bhushan Kumar, who is husband of informant** seeks anticipatory bail in connection with **Pirbahore P.S. Case No. 376 of 2023**, registered under Sections 323, 341, 354, 504, and 506 read with section 34 of the Indian Penal Code.
- 2.** Heard Sri Anil Kumar Sharma, learned counsel for the petitioner and Sri Rajesh Kumar, learned Public Prosecutor for the State.
- 3.** The prosecution's case, in brief, as per written report of informant Priyanka Kumari who is wife of petitioner Bibhuti Bhushan Kumar is that there is a dispute between her and her in-laws regarding which a case has already been instituted before the Mahila Police Station. It is alleged that on 09.05.2023, the informant along with her father Mahendra Prasad Singh had gone to Mediation Centre, Patna, for mediation proceedings. At the Mediation Centre, petitioner Bibhuti Bhushan Kumar, her sister-in law Mridula Kumari, Anamika Kumari, bother-in-law Sudhir Kumar and 4–5 other persons were present. During the course of mediation, informant's sister-in-law became violent and ran to beat her and her father. Her father tried to hide himself behind her husband (petitioner), in the meantime, 4–5 co-accused persons entered the mediation room center and assaulted him brutally causing injuries to him. The informant also sustained injuries on her hand during the occurrence. It is alleged that her sister-in-law Anamika Kumari plucked out her hain. It is further alleged that earlier also on several occasions the informant's husband committed such type of offence. In year 2018 the petitioner used to feed medicines of mental illness to the informant to make her mental.
- 4.** Learned counsel for the petitioner submits that the only non-

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bailable offence alleged is under Section 354 IPC, which carries a maximum sentence of five years and is triable by a Magistrate. It is next submitted that the parties, who have matrimonial relation are at warring terms with each other and there is multiple litigation between them. From bare perusal of the FIR, it is apparent that the accusation of assault against the petitioner is general and omnibus in nature. Furthermore, the petitioner has two criminal antecedents and both the cases have been instituted by the informant of the present case who is the wife of the petitioner. Ld. Counsel for petitioner further submits that charge sheet has already been filed in this case.

5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioner.
6. Pursuant to order dated 01.06.2026 TCR has been received, which contains the case diary. Upon perusal of case diary, it transpires that in course of investigation arrest of the petitioner was not required and accordingly served notice upon him under section 41-A of Cr.P.C. as well as two co-accused persons named in the FIR, to which they complied. Also, there is nothing in the case diary to suggest that the informant and her father have suffered injury. Furthermore, the investigation is over and charge sheet has been submitted against the petitioner wherein the only non-bailable section is 354 of IPC and with regard to other co-accused persons named in the FIR, closure report has been submitted.
7. Having regard to the aforesaid facts and circumstances of the case; nature of offence i.e. severity of punishment in the event of conviction; that in course of investigation the arrest of the petitioner was not required and accordingly served notice upon him under Section 41-A Cr.P.C., to which he complied; that the investigation is over and charge sheet has been submitted; and the submissions advanced on behalf of the petitioner, the prayer for anticipatory bail of the above named petitioner is **allowed**. It is ordered that in the

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event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the 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	16-06-2026
Date of Reserving Order	NA
Uploading Date	16-06-2026
Uploaded by	Amjad/-