

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2308 of 2026.

1. Ishu Patel

2. Vicky Kumar

..... **Petitioners.**

Versus
The State of Bihar

**Order
No.**

Date

O R D E R

06 09-07-2026

- 1.** The **petitioners** seek anticipatory bail in connection with **Parsa Bazar P.S. Case No. 247 of 2026**, registered for offences under Sections 115(2), 126(2), 303(2), 351(2), 352, read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- 2.** Heard Sri Arvind Kumar Mouar, learned counsel for the petitioners and Sri Rajesh Kumar, learned Public Prosecutor for the State.
- 3.** The prosecution case, in brief, is that on 09.05.2026 at about 07:00 P.M. when the informant Kiran Devi's son namely Guru Prakash was sitting at his shop, both the petitioners along with one unknown person came to his shop and abused, kicked, punched him, and brutally assaulted him. After that her son fell on the ground, after that the accused persons hit informant's son on the head with a brick with an intention to kill and taking the opportunity, Ishu Patel (petitioner no.1) pulled the gold chain from the neck of the informant's son and took Rs. 20,000/- and a mobile phone. Hearing the noise, people from nearby areas came and seeing her serious condition, her family took her to the nearest clinic for treatment. The CCTV camera footage is also available.
- 4.** Learned counsel for the petitioners submits that the only non-bailable offence invoked is Section 303(2) of the BNS, which carries a maximum punishment of five years imprisonment and is triable by a Magistrate. It is further contended that from bare perusal of the FIR, it would be apparent that the accusation of assault against the petitioner is general and omnibus in nature. The only specific allegation is attributed to Ishu Patel (petitioner no.2), that he snatched the gold chain from the neck of the informant Kiran Devi's son Guru Prakash and also took away Rs. 20,000/- and a mobile phone. Ld. Counsel further submits that the petitioners have been falsely implicated and

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contd....
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the reason for the same is that the informant side use to tease the minor sister of the petitioner's side. Furthermore, a counter case being Parsa Bazar P.S. Case No. 248/2026 has been instituted by the petitioner's side. Moreover, the petitioners have clean criminal antecedents.

5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioners. However, he fairly submits that the only injury suffered by the informant's son Guru Prakash is simple in nature caused by hard and blunt substance. It is further submitted that the Investigating officer has recorded in para 29 of the case dairy that the petitioners have clean criminal antecedent.
6. Having regard to the facts and circumstances of the case; the nature of the offences, i.e. severity of punishment in the event of conviction; nature of accusation against the petitioners being general and omnibus in nature, the submissions advanced on behalf of petitioners more particularly the defence; existence of case and counter-case; the injury suffered by the informant's son being simple in nature and their clean antecedents, the prayer for anticipatory bail is **allowed**. It is directed 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 petitioners shall be released on bail upon furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to the satisfaction of the learned court below, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	09-07-2026
Date of Reserving Order	NA
Uploading Date	09-07-2026
Uploaded by	Rahul/-