

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2646 of 2026.

1. Baban Rai
2. Raju Kumar
3. Dipu Kumar Petitioners.

Versus
The State of Bihar

**Order
No.**

Date

O R D E R

07 23-07-2026

1. The **three petitioners**, who are family members, seek anticipatory bail in connection with **Digha P.S. Case No. 442 of 2026**, disclosing offences under Sections 110, 115(2), 126(2), 303(2), 351(2), 352, read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. Heard Sri Arun Kumar, learned counsel for the petitioners and Sri Rajesh Kumar, learned Public Prosecutor for the State.
3. The prosecution case, as alleged in the written report of the informant, namely Dilip Kumar is that, on 20.05.2026 at around 7:00 AM when a dispute arose between his neighbours, Munna Kumar and Raju Kumar, over the parking of a motorcycle, the informant attempted to intervene and pacify them. Raju Kumar (petitioner no. 2) allegedly threatened him with dire consequences, stating that he would deal with him later. The informant, who works as a *munsif* at Digha Polson Road, further alleged that on the following day, i.e., 21.05.2026 at about 10:45 AM, Raju Kumar (petitioner no. 2), accompanied by his cousin Dipu Kumar (petitioner no. 3) and Baban Rai (petitioner no. 1), arrived at his workplace pursuant to a conspiracy and assaulted him. It is alleged that Raju Kumar struck the informant on the head with an iron rod, causing bleeding injuries. Dipu Kumar allegedly snatched the gold chain from the informant's neck, while Baban Rai took Rs. 20,000/- from his pocket. As a result of the assault, the informant sustained injuries to his head, hands, and legs, and was subsequently taken to Danapur Sub-Divisional Hospital for medical treatment.
4. Learned counsel for the petitioners submits that the only non-bailable offences alleged are under Sections 110 and 303(2) of the BNS, carrying a maximum punishment of seven years' imprisonment. He further contends that the allegations of assault against petitioner no. 1 and petitioner no. 3 are general and omnibus in nature, whereas the

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**Contd....
(23-07-2026)**

accusation against petitioner no. 2, Raju Kumar, is specific, alleging that he struck the informant on the head with an iron rod. Learned counsel argues that the FIR itself reveals that the genesis of the dispute was trivial, and in this background, the petitioners, being neighbours, have been falsely implicated. Moreover, the petitioners are stated to have clean antecedents.

5. The learned Public Prosecutor opposes the prayer for grant of anticipatory bail. However, he fairly submits that the Investigating Officer has affirmed in para 22 and para 30 of the case diary that the petitioners have clean criminal antecedents.
6. Pursuant to order dated 14.07.2026, injury report of the informant Dilip Kumar has been received. Upon perusal of the same, it transpires that injury suffered by the informant is simple in nature.
7. Having regard to the facts and circumstances of the case; the nature of the offences and the punishment prescribed upon conviction; nature of injury suffered by the informant being simple in nature; rival submissions advanced on behalf of both the parties; and clean criminal antecedents of the petitioners, the prayer for 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	23-07-2026
Date of Reserving Order	NA
Uploading Date	23-07-2026
Uploaded by	Rahul/-