

Anticipatory Bail Petition No. 2874 of 2026.

..... **Petitioner.**

The State of Bihar

ORDER

1. The **petitioner, Jitendra Kumar @ Rameshwar Prasad**, apprehends arrest in connection with **Rajiv Nagar P.S. Case No. 296/2026** instituted for offences under sections 61(2), 119(1), 223, 316(2), 318(4) of Bharatiya Nyaya Sanhita, 2023 (BNS) as well as section 3 of Prevention of Damage to Public Property Act, 1984.
2. Heard Sri Pramod Prasad, learned counsel for the petitioner and Sri Rajesh Kumar, learned Public Prosecutor for the State.
3. Prosecution case briefly put is that on 17.05.2026 at about 17:30 hours, in course of inspection, it was found that illegal construction work is being carried out upon the land belonging to Bihar State Housing Board in Rajiv Nagar area. On enquiry from nearby people, they informed that the said construction work is being carried out at the instance of petitioner.
4. Learned counsel for the petitioner contends that the only non-bailable offences for which anticipatory bail has been sought are under Sections 119(1), 316(2), and 318(4) of the BNS. He argues that even if the FIR is accepted at face value, no offence under Section 119(1) of the BNS is made out, as there is no allegation of causing hurt. It is further submitted that due to enmity of some mohalla people, he has been implicated and the petitioner has no concern with the said house nor he is owner of the said land. Moreover, the petitioner has an unblemished criminal record.
5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioner. However, he fairly submits that the petitioner has clean criminal antecedent as recorded by the Investigating Officer in para 26 of the case diary.
6. Considering the aforesaid facts and circumstances of the case:

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No. 2874 of 2026.

**Contd....
(28-07-2026)**

nature of accusation against the petitioner; submission of learned counsel for the petitioner; and clean antecedent of the petitioner, the prayer for grant of anticipatory bail of the above-named petitioner 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 petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) 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	28-07-2026
Date of Reserving Order	NA
Uploading Date	28-07-2026
Uploaded by	Amjad/-