

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra
Anticipatory Bail Petition No. 1959 of 2026 (Garkha P.S. Case No. 345/2026)

Sanjay Kumar V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	02.06.2026	1. Heard learned counsel representing the petitioner-accused as well as learned Public Prosecutor representing the State on anticipatory bail petition of petitioner-accused, namely, Sanjay Kumar, apprehending his arrest in this Garkha P.S. Case No. 345/2026, registered under Sections 126(2), 115(2), 109 & 352 r/w 3(5) of the BNS, pending in the Court of <i>Shri Anup Rawat</i>, learned JMFC, Saran at Chapra. 2. FIR of this case has been registered on the basis of a written application of the informant, namely, <i>Md. Fazal</i>, stating that on 23.03.2026 at about 05:00 P.M., he was going to <i>Mura Bazar</i> for withdrawal of money. In the meantime, the petitioner-accused along with other accused persons came armed with lathi-danda and started abusing him. On protest, all the accused persons assaulted him with lathi and danda as a result of which he sustained injuries on his head, back and hand. 3. It is contended on behalf of learned counsel representing the petitioner-accused that he is quite innocent and has not committed any offence as alleged in F.I.R. Next contended that earlier no ABP or regular bail has been filed on behalf of the petitioner-accused in this Court or Hon'ble High Court, Patna in connection with the present case and he has got clean antecedent, except this one. Next contended that the petitioner-accused is a labour and he had gone for daily wages work in neighbour village. Next added that there is no specific allegation of assault has been attributed to the petitioner-accused and all the injuries are caused by hard and blunt object. Next contended that Section 109 of the BNS is not applicable in this case while the other sections are bailable in nature. Next argued that the co-accused persons of this case have already been enlarged on bail by this Court <i>vide</i> order dated 28.04.2026 passed in BP No. 732/2026, and the case of this petitioner-accused stands on similar footing. Further submitted that the petitioner-accused is ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioner-accused may be enlarged on anticipatory bail. 4. Per contra, learned Public Prosecutor representing the State vehemently opposed the prayer for anticipatory bail of the petitioner-accused.	

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	5. Heard both the sides and perused the materials available on record. From the same, it transpires that the allegations against the petitioner-accused are general and omnibus in nature. It is also pertinent to notice that the nature of injuries sustained by the informant does not <i>prima facie</i> corroborate the ingredients of Section 109 of the BNS. Furthermore, the petitioner-accused has got clean antecedent except this case. Moreover, the co-accused persons of this case have already been enlarged on bail by this Court <i>vide</i> order dated 28.04.2026 passed in BP No. 732/2026. 6. So, considering the above facts and circumstances of the case, the nature of allegations, nature of injuries, absence of criminal antecedent, earlier bail granted to the co-accused of this case, and the reasons mentioned herein-above, this Anticipatory Bail Petition, bearing No. 1959 of 2026, is hereby allowed. In the event of his arrest or surrender within one month from the date of this order, the petitioner-accused, namely, Sanjay Kumar, be released on bail on furnishing bail bonds of Rs. 10,000/- <u>with two sureties</u> of the like amount each to the satisfaction of the learned Court concerned subject to the conditions as laid down u/s 482(2) of B.N.S.S., 2023 :- (I) That the petitioner shall make himself available for interrogation by I.O., as and when required, (II) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the I.O. of the case, (III) That the petitioner shall not leave India without the previous permission of the Court, (IV) That the petitioner is directed to co-operate in trial and disposal of the case. [Dictated] (Puneet Kumar Garg), Sessions Judge, Saran 02.06.2026	