

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3494 of 2025**

Arising Out of PS. Case No.-163 Year-2024 Thana- BARIYARPUR District- Munger

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Ankit Kumar S/o Ashok Paswan, Resident of village- Bariyarpur Basti, P.S-  
Bariyarpur, District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Anurag Saurav, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      12-02-2025                      Heard Mr. Anurag Saurav, the learned counsel for  
  
the petitioner and Mr. Upendra Kumar, the learned Additional  
  
Public Prosecutor for the State.

2.              The petitioner is apprehending his arrest in  
connection with Bariyarpur PS Case No. 163 of 2024, FIR dated  
02.08.2024, registered for the offences punishable under  
Sections 191(2), 190, 126(2), 115(2), 110, 76, 303(2), 308(3),  
352 and 351(2)(3) of the B.N.S.

3.              According to the prosecution case, the FIR named  
co-accused persons, variously armed, hurled caste slurs upon the  
informant and when the informant protested, the co-accused  
persons with an intention to kill badly assaulted the informant. It  
is further alleged that when one Premchand Sahni tried to  
intervene, they also assaulted him and snatched his gold locket  
worth Rs. 2,30,000/- (Rupees two lakhs and thirty thousand



only).

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the present case is the counter blast of Munger (SC& ST) PS Case No. 31 of 2024 filed on 31.07.2024 by the petitioner's mother against the informant and his family members and the present FIR has been instituted on 02.08.2024. He further submits that from perusal of FIR it appears that the date of occurrence as alleged in the FIR is on 27.07.2024, but the present FIR is instituted on 02.08.2024 after a delay of around six days without giving any explanation for the delay. He lastly submits that from the perusal of the FIR it also appears that the allegation against the petitioner is that he has assaulted to the informant by means of butt of pistol on the head of the informant, however injury report of the informant suggests that although he has received the injury, but injury is simple in nature.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, there is



case and counter case between the parties and injury inflicted upon the informant is simple in nature, let the petitioner, above-named, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Munger, where the case is pending in connection with **Bariyarpur PS Case No. 163 of 2024**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, 2023 and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial



Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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