

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4417 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Ajametullah Son of Aiyub Alam village- Naya Basti Ward no. 04 Deramari Ps
-Kochadhaman District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kochadhaman Police Station Case No. 151 of 2024, disclosing offences under Sections 126(2), 115(2), 117(2), 110, 303(2), 3(5) of the BNS, 2023.
3. The prosecution case, as per the First Information Report, is that on 29.07.2024, while the informant was going on his motorcycle towards his house, he was chased and waylaid by the petitioner and other accused persons and when the informant reached near Mastan Chowk, they surrounded him, assaulted him by iron-rod, due to which he sustained injury. The accused persons also snatched a sum of Rs. 45,000/- from the dickey of the motorcycle and a sum of Rs. 950/- from the pocket



of the informant and upon noise made by the informant, villagers gathered there and the accused persons fled away after leaving the motorcycle at the place of occurrence.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to ulterior motive. Nothing has been recovered from the conscious possession of the petitioner. There is general and omnibus allegations levelled against the petitioner. Petitioner has no concern with the alleged motorcycle. From perusal of the FIR, it would be evident that there was no repetition of blow and no intention to kill the informant. There is no specific allegation of assault against the petitioner to the informant and the allegation of snatching the money is false and concocted. The FIR has been lodged after a delay of four days.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that petitioner has got no criminal antecedent and there is four days' unexplained delay in lodging the present FIR, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his



arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kochadhaman Police Station Case No. 151 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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