

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11405 of 2025

Arising Out of PS. Case No.-208 Year-2022 Thana- KHIJARSARAI District- Gaya

Abhimannu Kumar @ Abhimanu Kumar @ Ajeet Kumar, Son of
Narmadeshwar Singh @ Narndeshwar Sharma @ Narmadeshwar Sharma,
Resident of Village - Mai, Police Station - Khizersarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Khizarsarai P.S. Case No. 208 of 2022 registered on 13.06.2022 for the alleged offences under Section 147, 341, 323, 307, 379 and 506 of the Indian Penal Code.

03. As per prosecution case while a procession of barat was being taken out by the informant, the petitioner and co-accused persons stopped it and assaulted the brother of the informant and snatched ornaments and jewellery items worth Rs. 2,30,000/- threatening the informant and others with pistol, revolver and iron rod.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.

No occurrence as alleged has ever taken place. The occurrence took place on 11.06.2022 but the FIR was lodged on 13.06.2022 and the same was sent to the learned Magistrate on 18.06.2022 without any explanation for the delay. Learned counsel further submits that there is general and omnibus allegation against all the accused persons without attributing any overt act to the petitioner. There is no injury report on record and it shows the allegation of causing injury is false and fabricated. The informant also failed to mention the reason for the occurrence. There is a counter version and some of the villagers have filed Khizarsarai P.S. Case No. 212 of 2022 against the informant's side. Considering the case of the other co-accuse, namely, Suchit Sharma @ Ravi Bhushan Kumar and Om Prakash Kumar have been granted bail by a Co-ordinate Bench of this Court vide order dated 17.03.2023 and 24.07.2023 passed in Cr. Misc. No. 63118 of 2022 and Cr. Misc. No. 33293 of 2023 respectively.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the general and vague nature of allegation and further considering the criminal antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his

arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizarsarai P.S. Case No. 208 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a
close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J.)

Jyoti Kumari/-

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