

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10593 of 2025

Arising Out of PS. Case No.-308 Year-2020 Thana- DANAPUR District- Patna

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Ashok Kumar @ Omprakash Kumar S/O Nari Narayan Yadav @ Harinarayan
R/O Village- Dujra Pahalwan Ghat, P.S- Budha Colony, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Madhuri Lata, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 279, 337, 338, 307 of the Indian Penal Code.

3. Allegedly, co-accused Pintu Kumar is said to have dashed the Bolero vehicle from behind to the bike of the informant due to which he sustained grievous injuries. Petitioner was also present in the vehicle in question by which the alleged occurrence took place.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior



motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Nothing specific has been attributed against him. There is specific allegation of causing injury against co-accused Pintu Kumar @ Prabhakar, who has already been enlarged on bail by this Court vide order dated 04.09.2024 passed in 52012 of 2024. It is further submitted that the alleged occurrence took place on 19.05.2020, but the same was informed to police on 22.05.2020 and *Fardbayan* was recorded after delay of three days without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that the location which was mentioned by the informant is completely covered under CCTV surveillance, but the investigating officer did not use that CCTV footage in course of investigation. It is further submitted that the real fact is that in the year 2015, the petitioner's sister has instituted a criminal case against the present informant and his family members bearing Budha Colony P.S. Case No 341/2015 under Section 498(A) of the Indian Penal Code and thereafter, only with a view to make undue pressure upon the petitioner, Complaint Case No. 1427 of 2018 as well as the present case has been filed. Petitioner has one criminal antecedent as



mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner and similarly situated co-accused has already been enlarged on bail by this Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Danapur P.S. Case No. 308 of 2020, subject to the condition as laid down under Section 482 (2) of the B.N.S.S., 2023.

(Anjani Kumar Sharan, J)

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