

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21197 of 2025

Arising Out of PS. Case No.-776 Year-2024 Thana- ALAMGANJ District- Patna

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Pawan Kumar @ Pawan Kumar Sharma S/O Surendra Prasad Sharma
Mohalla- Badi Patan Devi Colony, P.S.- Alamganj , District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Vardhan, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Alamganj P.S. Case No. 776 of 2024 lodged on 05.09.2024, for the offence punishable under Sections 126(2), 115(2) 305(a) & 74 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. It has been alleged in the FIR that the accused persons sent 10 unknown persons who assaulted the informant and his mother and also tried to outrage the modesty of the ladies of the informant's family. Subsequently, accused persons took cash of Rs.75,000/- (Rupees Seventy Five Thousand) and jewellery



costing Rs.2,00,000/- (Rupees Two Lakhs) from the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the ingredients of the offence alleged in the FIR is not present in the *fardbayan*. Counsel submits that the petitioner is the owner of the house and informant is the tenant and when the petitioner asked informant to vacate the house, dispute arises and with a view to create pressure on the petitioner, false case has been lodged. Counsel submits that another accused person namely, Pachu Gope filed surrender-cum-bail petition before the Trial Court which has been allowed on the basis of compromise which is annexed as Annexure-P/2. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that there is nothing direct against the present petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the



satisfaction of Additional Chief Judicial Magistrate-VI, Patna City, Patna, in connection with Alamganj P.S. Case No. 776 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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