

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16016 of 2025

Arising Out of PS. Case No.-683 Year-2024 Thana- ISLAMPUR District- Nalanda

Niwas Kumar @ Sri Niwas Kumar S/o Late Ram Ashish Yadav R/o Village-
Sobha Bigha, PS- Khudaganj, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Islampur P.S. Case No. 683 of 2024, dated 12.12.2024, lodged under Section 190, 191(2), 191(3), 126(2), 115(2), 117(2), 109, 303(2), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named and five unknown accused persons, including the present petitioner, alleging that when the informant was traveling in a Scorpio vehicle, five unknown persons on two bikes forcibly asked him to come out of the vehicle. Thereafter,



they brutally assaulted the informant, and the petitioner was identified as one of the accused, who allegedly caught the neck of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the present case has been filed with a view to save the skin of the informant's cousin, who was involved in an accident with a Scorpio vehicle on 29.11.2024, for which Khudaganj P.S. Case No. 153 of 2024, dated 29.11.2024, was lodged by the co-accused, namely, Dhirendra Kumar. In the said incident, Dhirendra Kumar's father, Late Dharmendra Prasad, died on the spot. Counsel further submits that upon bare reading of the FIR only one allegation is made that the petitioner allegedly caught the neck of the informant and threatened him. Counsel also submits that the petitioner has no criminal antecedents.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner is named in the FIR.

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 Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Islampur P.S. Case No. 683 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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