

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18219 of 2025

Arising Out of PS. Case No.-235 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rishav Kumar @ Rishab Kumar, Son of Vijay Singh @ Bijay Singh, Resident
of Village - Pansalla, Post - Bhairwar, P.S. - Muffasil, District - Begusarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Begusarai Muffasil P.S. Case No.235 of 2022 registered under Sections 143, 341, 323, 384, 387, 427, 307, 325, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioner is to assault the informant and others by means of *lathi*, *danda* and rod, whereas during the course of occurrence one co-accused namely Aman Kumar has assaulted the informant by means of butt of the pistol and took Rs. 10,000/-only.

4. It is submitted by learned counsel appearing for



the petitioner that the petitioner was the part of mob only, whereas the allegation of assault is available against co-accused Aman Kumar. It is submitted that injury upon the informant found simple in nature. There is no specific overt act against this petitioner *qua* physical assault and moreover several similarly situated co-accused persons have been granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 66266 of 2022 dated 17.01.2023 and Cr. Misc. No.60369 of 2024 dated 21.08.2024.

5. Learned APP opposed the prayer for anticipatory bail of the petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* petitioner appears only a part of mob without attributing overt act *qua* physical assault, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Judicial Magistrate-1st Class, Begusarai in connection with Begusarai Muffasil P.S. Case No.235 of 2022, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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