

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19523 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- SONBERSA District- Sitamarhi

Prashant Kumar Son of Mundrika Singh Resident of Village - Singhwahini,
P.S. - Sonbarsa, District - Sitamarhi (wrongly mentioned in the FIR as
Resident of Village - Bishanpur Gonahi, P.S. - Bhutahi)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant

2. The present Criminal Miscellaneous 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 is apprehending arrest in connection with Sonbarsa P.S. Case No. 362 of 2024, lodged on 18.11.2024, under Section 309(6) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against one named and two unknown accused persons, including the present petitioner, alleging that they looted Rs. 25,000/- from the informant and subsequently assaulted him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that all the allegations levelled against the petitioner are false and fabricated. It is submitted that the petitioner had given money to the informant, but the informant was not willing to return the same, which led to a dispute between them. It is further submitted that the present case has been falsely lodged against the petitioner with the sole intention of evading repayment of the said amount. Counsel also submits that the petitioner has a clean antecedent.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against the present petitioner of assaulting the informant with the butt of a gun.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

8. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court



is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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