

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21216 of 2025

Arising Out of PS. Case No.-3 Year-2024 Thana- Panchanpur District- Gaya

Vivek Kumar Son of Mantu Bind Resident of Village - Tekari (Budhwa Mahadeo), P.S.- Tekari, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

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

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 Panchanpur P.S. Case No. 03 of 2024, registered on 28.02.2024, for the offences punishable under Sections 341, 323, 307 and 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against two named and 7-8 unknown accused persons, including the petitioner, against whom there is an allegation that all the accused arrived at the informant's house in a tempo, armed with lathis, dandas, iron rods, and other weapons. There is a specific allegation that the petitioner was carrying a pistol, but he allegedly attacked the informant on the head with a brick, due to which informant become unconscious. It is further



alleged that the petitioner also assaulted the informant's wife and son.

4. Counsel further submits that the petitioner is an intermediate student and has been falsely implicated in the present case. Counsel also submits that there is a delay in lodging the FIR. The occurrence took place on 24.02.2024, but the FIR was lodged on 28.02.2024, i.e., after a delay of four days, which has not been explained. Counsel further submits that there is a case and counter-case filed by both sides. The petitioner's side has lodged Panchanpur P.S. Case No. 02 of 2024, whereas the informant's side has filed Panchanpur P.S. Case No. 03 of 2024. Counsel further submits that both parties are well known to each other and are relatives. Under a wrong impression and due to a petty dispute between the families, the occurrence took place. Counsel also submits that, except for one injury, the rest injuries are minor in nature.

5. Learned APP for the State opposes the prayer for bail and submits that there is a specific allegation against the present petitioner, but he simultaneously admits that the case was lodged after a delay of four days.

6. In the present facts and circumstances, 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 bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VI, Gaya, in connection with Panchanpur P.S. Case No. 03 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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