

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23648 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- KRITYANAND NAGAR District-
Purnia

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Sudhir Kumar S/O Om Prakash Ram R/O Hat Bari, Kajha Kothi, P.S- K.
Nagar, Distt.- Purnea.

... .. Petitioner/s

Versus

The state of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with K. Nagar P.S. Case No.301 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) BNS Act.

3. As per prosecution case, there is allegation against the petitioner who is said to have assaulted informant by means of iron rod as a result of which he sustained injury near the eye and fell down.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case.



Petitioner bears no criminal antecedent. He further submits occurrence took place on 31.10.2024 and FIR has been lodged on 06.11.2024, there is delay of six days in lodging the FIR and no plausible explanation was given for the same which casts doubt on the authenticity of the FIR. He further submits that informant sustained injury on 31.10.2024 but the medical report is of 14.11.2024 which shows that medical report is without any basis. He further submits that during the course of investigation injured Jainendra Kumar was examined and he stated that during the scuffle he fell down and thereby he got injured. From the perusal of the FIR, it clearly indicates that informant sustained injury near the eye but the injury report as mentioned in impugned order shows that there is fracture in nose which is totally inconsistent from the prosecution story. He further submits that so far as the delay and different nature of injury as has been indicated in the impugned order clearly shows that prosecution story is doubtful.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into



consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P.S. Case No.301 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Alok Kumar Pandey, J)

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