

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29185 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- BHORE District- Gopalganj

Adarsh Kumar S/O Arun Kumar Kamkar R/O Village - Pandey Tola, Ps-
Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 03-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bhore P.S. Case No. 255 of 2024 for the offence registered under sections 126(2), 115(2), 118(1), 109, 303(2), 351(2), 3(5) of the B.N.S. lodged on 19.10.2024 by the informant, Irshad Alam.

3. As per the prosecution story, the informant alleged that while returning home after closing the shop, the accused persons intercepted and assaulted. Firstly, Kamaluddin Ansari and later the petitioner. The allegation against this petitioner is of giving daab blow on his head causing injury as also taking away cash/ornament. This led to the FIR.

4. In this case, the Co-ordinate Bench has called for the case diary which is on record.

5. Learned Counsel for the petitioner submits that he



has two criminal antecedents but in the main petition, it was not averred for which sincere apology is submitted the same has been brought on record by way of supplementary affidavit.

6. The same is deprecated and it is cautioned to careful in future.

7. The submission is that the injury report is also part of the case diary and the same has been found to be simple in nature. The last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs. 5,000/- each to both the informant as also Kalamuddin Ansari (totaling Rs. 10,000/-) by Demand Draft issued by the local branch of the State Bank of India.

8. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting the fact that he has criminal antecedents clearly show the criminal intent of the petitioner, the assault here is there on the head of the informant.

9. Considering the submissions of the parties as also the fact that though injury is there, the same has been found to be simple in nature, in that background, this Court is inclined to grant him the anticipatory bail subject to payment of Rs.5,000/- each to both the informant as also Kalamuddin Ansari (totaling



Rs. 10,000/-) by Demand Draft issued by the local branch of State Bank of India and the receipt has to be submitted before the Trial Court and after checking credentials to be handed over to the the aforesaid persons.

10. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Bhore P.S. Case No. 255 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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