

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26475 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- KIUL District- Lakhisarai

Sumit Kumar S/O Raj Kumar Yadav Resident of Village- Lakhochak P.S-
Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kiul P.S. Case No. 96 of 2024 registered for the offences punishable under Sections 127(2), 115, 109(1), 308(5), 352, 351(2), 3(5) of B.N.S and Section 27 of Arms Act.

3. As per prosecution case, petitioner and others are said to have concertedly assaulted informant's brother when he was coming home by train. It is alleged that Rs. 40,000/- was being demanded as rangdaari and threatening was given to informant's brother that if the said demand is not fulfilled he would be killed. It is further alleged that while firing from pistol the accused persons took informant's brother to deserted place.

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 criminal antecedent of one case which is not similar to the present case. Learned counsel further submits that there is no specific allegation against the petitioner rather the same is general and omnibus in nature. Learned counsel orally submits that, though, there is allegation of firing but no firing material was found at the place of occurrence. It is further alleged that after falling from the train on railway track informant's brother sustained injury on various parts of the body. He further submits that on account of business rivalry petitioner is said to have been made accused in the present case. It is further stated that victim Gautam Yadav and the petitioner were doing business for sale and purchase of cosmetic goods and for the said business, the informant had taken Rs. 50,000/- from the petitioner and other. In the light of aforesaid fact, altercation took place between informant's brother and petitioner and others and during the course of altercation victim is said to have fallen on the railway track.

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, Lakhisarai in connection with Kiul P.S. Case No. 96 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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