

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34588 of 2025**

Arising Out of PS. Case No.-342 Year-2023 Thana- CHANDAUTI District- Gaya

Sikandar Kumar @ Sikandra Kumar @ Sikendra Kumar S/o- Govardhan
Yadav Village- Chiraiya Tand PS-Chandauti District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 01-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Chandauti P.S. Case No. 342 of 2023 registered for the offences punishable under Sections 341, 342, 448, 323, 504, 506, 379, 307, 354(B), 325 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others are said to have assaulted the informant and confined him in a dark room. On being informed by Birendra Yadav, the family members of the informant rescued him. Petitioner is also alleged to have assaulted Hantu Yadav, uncle of the informant, by pelting bricks and stones.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the first information report and he has been falsely implicated in this case. The occurrence took place on 10.06.2023 and the present F.I.R. was lodged after four days on 13.06.2023 without any explanation for the delay, which questions the authenticity of the prosecution story. It is further submitted that there is no injury report on record to corroborate the allegation of assault upon the uncle of the informant. Learned counsel for the petitioner submits that co-accused Jai Prakash Kumar @ Jai Prakash Yadav @ Jay Prakash @ Chhotu Kumar @ Chhoty Yadav has already been granted anticipatory bail by this Court in Cr. Misc. No. 358 of 2024 and the case of the present petitioner stand more or less on similar footing and on the principle of parity, petitioner deserves the same treatment. Petitioner bears no criminal antecedent.

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, co-accused has already been granted anticipatory bail, 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 arrest or surrender within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Chandauti P.S. Case No. 342 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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