

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51241 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

Anjesh Prasad @ Kumbkaran Kumar @ Kumbhkaran Kumar @ Kumkaran
S/o Sikandar Yadav R/o Vill- Dharambigha, P.S.- Neemchak Bathani, Distt-
Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Ms. Isha Mishra, Advocate
For the Opposite Party	:	Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-11-2025 Heard Ms. Isha Mishra, learned Advocate for the
petitioner and Mrs. Nirmala Kumari, learned Additional Public
Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Nimchak Bathani P.S. Case No. 246 of 2024, registered for
the offences punishable under Sections 126(2), 115(2), 109,
303(2), 125(a), 125(b), 352, 351(2), 351(3), 3(5) of the Bhartiya
Nyaya Sanhita 2023.

3. Allegedly, while the informant was going to his
maternal uncle's place on a vehicle, in the meanwhile, the
petitioner along with other co-accused persons intercepted him
and started assaulting by means of bricks and stones. It is
specifically alleged that when the same was objected by the
informant, the petitioner along with co-accused Suraj Kumar



assaulted him by means of iron rod, due to which he sustained head injuries. There is further allegation of snatching of rupees 50,000.00 and a golden chain; besides causing assault to the father of the informant who came to his rescue.

4. Learned Advocate for the petitioner submitted that there is a counter version of the present case being Nimchak Bathani P.S. Case No. 247 of 2024 instituted by the cousin (sister) of the petitioner against the informant and others. The injury, which is allegedly sustained to the informant and his father are concerned, they have been found to be simple in nature, moreover, the petitioner bears one criminal antecedent, however, he is on bail in the said case. It is lastly contended that in fact on account of previous enmity, both the parties entered into scuffle resulting into some unfortunate injuries.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of the assault being made by the petitioner, the informant sustained head injury.

6. Regard being had to the submissions advanced by the learned Advocates for the respective parties and considering the factum of case and counter case coupled with simple nature of injuries; besides the genesis of the occurrence, let the



petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Nimchak Bathani P.S. Case No. 246 of 2024 subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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