

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50810 of 2025

Arising Out of PS. Case No.-318 Year-2025 Thana- MAHUA District- Vaishali

Amresh Kumar @ Amlesh Kumar Son of Parashnath Kunwar @ Parash
Kunwar @ Parashnath Kumar Resident of Village - Kadiyo, P.S.- Mahua,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Mahua P.S. Case No. 318 of 2025 lodged on 08.03.2025, for the offences punishable under sections 126(2), 351, 352, 109, 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. As per the prosecution, an F.I.R. has been lodged against two named and 3-4 unknown accused persons. It is alleged that co-accused Amit Kumar fired upon the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that, for the same date and place of occurrence, two F.I.Rs. have been lodged. The first F.I.R. was lodged on 05.03.2024, i.e., on the date of occurrence itself, by the



petitioner's side, wherein there is a specific allegation that the accused persons assaulted the petitioner's side. Upon learning that an F.I.R. had been lodged against him, the informant of the present case, with a view to save himself, lodged the present case on 08.03.2025 with frivolous allegations. The petitioner has clean antecedents.

5. Learned APP for the State opposes the prayer for bail; however, he concedes that the petitioner has a clean antecedent and that there exists a case and counter-case between the parties.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the CJM, Vaishali, in connection with Mahua P.S. Case No. 318 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/-

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