

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48835 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- ISUAPUR District- Saran

Ashutosh Kumar S/o Subas Rai @ Subhash Rai R/o Village- Kerwa, P.S.-
Isuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 126(2)/115(2)/118(1)/109/303(2)/351(2)/352 of the BNS.

3. As per F.I.R., when the son of the informant had gone to run in the filed on 01.01.2025, the petitioner and other accused persons named in the F.I.R. and other 7-8 unknown persons assaulted her son with lathi, danda, rod etc. It has further been alleged that on the order of Ashutosh Kumar (petitioner), co-accused Sudhanshu Kumar assaulted the informant's son with knife and co-accused Shantanu Kumar assaulted the informant's son with sharp cutting weapon on his head causing head injury.

4. Learned counsel for the petitioner submits that the



petitioner has not committed any offence as alleged and from perusal of the F.I.R., it appears that he has been projected as an order giver. The specific allegation of assault is upon Sudhanshu Kumar and Shantanu Kumar. Injury report suggest that the injury is on the head of the victim which is not attributable to this petitioner. The allegation against the petitioner is general and omnibus in nature.

5. On the other hand, learned counsel for the informant has opposed the prayer of the petitioner for grant of anticipatory bail and submits that the petitioner along with other accused persons has initially assaulted the informant's son and, thereafter, the co-accused persons assaulted with knife and sharp cutting weapons on the head of the victim. Petitioner is having three criminal antecedent.

6. In reply, learned counsel for the petitioner submits that cases have been registered against the petitioner under Section 498-A and 379 in which the petitioner is on bail.

7. Regards being had to the submissions made by the parties and taking into consideration the fact that the allegation is general and omnibus and the injuries caused to the victim is not attributable to the petitioner directly, I am inclined to grant anticipatory bail to the petitioner.



8. In view of the above, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran, in connection with Isuapur P.S. Case No. 01/2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Anil Kumar Sinha, J)

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