

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54561 of 2025**

Arising Out of PS. Case No.-396 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Kundan Kumar @ Kundan Yadav, Son of Rajesh Yadav @ Rajeshwar Prasad
Yadav, Resident of Village- Nagdaha Purnahiya, P.S. -Ghorasahan, District
-East Champaran, Bihar. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Aman Kumar, Advocate
		Mr. Lokesh Kumar, Advocate
For the Opposite Party/s :		Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused-petitioner, named in the F.I.R., is
apprehending his arrest in connection with Ghorasahan P.S. Case
No. 396 of 2024 registered for the offences punishable under
Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109,
308(2), 303(2), 352 and 351(2) of the Bhartiya Nyay Sanhita,
2023.

3. The allegation against petitioner is to commit robbery
along with other named co-accused persons and while committing
so, assault the informant and looted cash of Rs. 5000/- from the
pocket of the informant. Occurrence alleged to be arising out of
previous enmity for the demand of extortion money of Rs. 2 lacs



and also due to monetary disputes.

4. Learned counsel appearing on behalf of the petitioner submitted that both parties belongs to same village and out of previous enmity, petitioner was implicated in this case. It is further pointed out that there is no allegation *qua* any is available against petitioner as per face of FIR. It is further submitted that petitioner is a man of clean antecedent. While concluding argument, it is submitted that one of the co-accused, namely, Subhash Kumar Yadav @ Subhash Yadav was granted anticipatory bail by this Court through Cr. Misc. No. 1409 of 2025 dated 05.02.2025 and, moreover, being co-villager now good sense prevails between the parties, where the alleged occurrence now stands compromised.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as *prima facie* no overt act is available against petitioner as per FIR, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Sikarahana at Dhaka, Motihari/concerned Court,



where the case is pending in connection with Ghorasahan P.S.
Case No. 396 of 2024, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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