

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53751 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Shahpur P.S. District- Nawada

Avinash Kumar @ Avinash Shankar S/O Late Ramnarayan Sharma @ Late
Ramdev Mahto Resident of Village- Jagdishpur, P.S.- Shahpur, Dist.- Nawada

... .. Petitioner

Versus

The state of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manoj Kumar, Advocate

For the Opposite Party : Mr.Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-10-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 191(1), 192(2), 190, 126(2), 115(2), 74, 303(2), 324(4), 109, 352, 351(2) and 329(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, all the FIR named accused persons including this petitioner entered the house of informant and assaulted the informant side and destroyed the tent as well as beautification materials of the tent. It is further



alleged that accused persons looted jewellery and other materials kept there for marriage of informant's sister. One of the injured Sonu Kumar died during treatment.

4. It is submitted on behalf of the petitioner that this petitioner is innocent and has falsely been implicated in this case. As per FIR, there are 15 named accused persons and 25 to 30 unknown accused persons in the case. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. As a matter of fact, on the alleged date of occurrence, clash took place between the parties over playing DJ. As per post mortem report, death was caused due to head injury. During course of investigation, none of the witnesses have taken name of the petitioner.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Nawada in Shahpur Police Station Case No. 58/2025,



subject to the conditions laid down under section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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