

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56008 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- Bahoranpur District- Bhojpur

Abhishek Sah S/o- Kamta Sah Resident of Village- Umraoganj, P.S-
Bahoranpur, Distt-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-09-2025 Heard Mr. Dewanand Tiwari, learned Counsel for
the petitioner and Mr. Bharat Bhushan, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Bahoranpur P.S. Case No. 44 of 2025 for the offence
registered under sections 126(2), 115(2), 109(1), 351(2)(3), 352,
303(2), 3(5) of BNS, 2023 lodged on 15.04.2025 by the
informant, Ankit Kumar Shah.

3. As per the prosecution story, the informant alleged
that on the issue of petitioner taking part in the disposal of the
theft vehicles, when objected, he was assaulted by the butt of
the revolver on his head causing injury. Allegation against his
father, Kamta Shah is also of assault. This led to the FIR.

4. Learned Counsel for the petitioner has taken this



Court to Annexure-2 to show that the injury has been found to be simple in nature, he do not have criminal antecedent, shall be diligently appearing in trial and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the allegation is two-fold, he disposes of the theft vehicles by cutting it and upon objection, assault.

6. Considering the submissions of the parties as also the fact that he has no criminal antecedent, the injury has been found to be simple in nature, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 5,000/- to the informant as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to



the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bhojpur at Ara in connection with Bahoranpur P.S. Case No. 44 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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