

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57330 of 2025

Arising Out of PS. Case No.-77 Year-2020 Thana- MADANPUR District- Aurangabad

Kamlesh Kumar @ Kamlesh Prajapati S/o- Bishundev Prajapati @ Bishandev
Prajapat Village- Nagmatiya, Banian, Ps- Madanpur Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Adv.

For the Opposite Party/s : Mr. Satendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with G.R. No. 651 of 2020, arising out of Madanpur P.S. Case No. 77 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 506, 354(A), 504, 453, 380, 307, 354(B) and 427 of the Indian Penal Code.

3. Allegedly, 19 accused persons named in the FIR along with 50-60 unknown person variously armed with *lathi*, *danda* and iron rod came to the house of the informant and started abusing and assaulting. The accused person levelled allegation against the informant that the informant side had concealed the nephew of Naresh Bhuiyan in their house. When attempt was made to enter into the house of the informant, the



same was resisted, whereupon, the accused persons badly dismantled the household articles and took Rs. 20,000/-. There is allegation against some of the accused persons of outraging the modesty of the informant.

4. Learned Advocate for the petitioner contended that the petitioner is not even named in the FIR, however, during the course of investigation, some of the accused persons, who were apprehended by the police, they have disclosed the name of the petitioner. Save and except the confessional statement, there is no any material showing the complicity of the petitioner in the crime. Other co-accused persons named in the FIR have been accorded the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 35785 of 2021 and further in Cr. Misc. No. 15446 of 2021 and 47270 of 2021, the copies of which have been placed on record. It is lastly contended that since the name of the petitioner was not found place in the FIR, therefore, delay has occurred in approaching the Court. The petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of



allegation and the case of the petitioner stands on better footing to those, whose names are implicated in the FIR, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with G.R. No. 651 of 2020, arising out of Madanpur P.S. Case No. 77 of 2020, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

