

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55863 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- PHULPARAS District- Madhubani

Abhishek Kumar S/o Late Raj Kumar Kamat R/o Village- Suriyahi Tole
Chethrutol, PS- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Phulparas P.S. Case No. 148 of 2025 instituted for the offences
under Sections 126(2), 352, 118(1), 109(1), 76, 303(2), 117(2),
3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accused persons
including the petitioner armed with *lathi* and other weapons
entered into the *Angan* of the Informant and assaulted the
Informant and his family members. It is alleged that the
petitioner and co-accused Abhijeet Kumar assaulted Ajay
Kumar upon his head.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that there is a case and counter case between the parties. The injured Ajay Kumar has also given his *fardbeyan* before the police but, has not raised any specific allegation against the petitioner regarding assault. It is further submitted that the co-accused Arjun Kumar Kamat has also filed a case against the informant and others being Phulparas P.S. Case No. 150 of 2025. Learned counsel for the petitioner further submits that from perusal of the injury report of the injured Ajay Kumar, it appears that one injury is grievous in nature whereas two injuries are simple in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 20.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner



and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulparas P.S. Case No. 148 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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