

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56881 of 2025

Arising Out of PS. Case No.-328 Year-2024 Thana- SAUR BAZAR District- Saharsa

Rupesh Kumar S/o Krishan Kumar Yadav @ Krishan Kumar R/o Village- Suhath,
P.S- Saur Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Adv.
For the State	:	Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 324, 307,
120(B) of the Indian Penal Code.

3. The case of the prosecution is that while the informant
was teaching in a classroom in a village school, a dispute took
place with co-accused Anand Kumar and one Sawan Kumar
attacked upon him with a knife while there were four other co-
villagers, who had come along including this petitioner.

4. Learned counsel for the petitioner submits that it would
be apparent from the FIR that the specific allegation of assault by
knife is upon Sawan Kumar and so far as the petitioner is
concerned, the allegations are confined to him also being present
at the scene of occurrence, however, no specific overt act has



been alleged upon the petitioner. It is further pointed out that there is a previous enmity between the parties and the injuries sustained by the informant Sanjay Kumar are simple blunt.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail on the ground that the petitioner has four criminal antecedents. In response to the same, it is submitted on behalf of the petitioner that one of the cases has been filed by the present informant itself and he is on bail in all the other cases.

6. Taking into consideration the facts and circumstances of the case and also considering that there is no specific allegation of assault upon the petitioner and the injuries on the informant are also found to be simple in nature, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Saur Bazar P.S. Case No. 328 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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