

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64617 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- PARASBIGHA District- Jehanabad

Subhash kumar @ Subash kumar Son of Kamlesh Ram @ Kamlesh Prasad
R/o Village - Nauru, P.S. -Parasbigha, Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Parasbigha (Parashbigha) P.S. Case No. 116 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109(1), 352, 191(2), 190 of the B.N.S.

3. As per prosecution case, while the Anchala Adhikari was removing encroachment in front of the shop of the informant, all the accused persons including the petitioner started abusing and attacked upon him with stone and brick and after entering into shop, the accused persons assaulted with rod on head and also damaged the shop and also took away money from the money box.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. It is submitted that petitioner is merely a member of the mob and there is no specific allegation against the petitioner, rather the allegations levelled are general and omnibus against all the accused persons. The injury sustained by the injured is simple in nature. Petitioner bears no criminal antecedent. Learned counsel submits that petitioner is ready to co-operate in the investigation and he will not commit any offense of similar nature.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner name figures in the F.I.R. and he cannot escape from the allegations levelled in the first information report.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, there is no specific allegation against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of



Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Jehanabad in connection with Parasbigha (Parashbigha) P.S. Case No. 116 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or petitioner is involved in any similar nature of offence, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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