

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64074 of 2025

Arising Out of PS. Case No.-253 Year-2025 Thana- CHAPRA TOWN District- Saran

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Suraj Kumar @ Suraj Kumar Choudhari S/o- Vijay Kumar Choudhari R/o
Village- Mission Road Purvi Daniyawan P.S. Town District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Adv.
For the State : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-09-2025 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 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of the B.N.S., 2023.

3. The allegation in the FIR is that the informant was intercepted by two accused persons Sonu Kumar and Suraj Kumar (petitioner) and while Suraj Kumar caught hold of the informant, accused Sonu Kumar inflicted knife blow upon the informant causing injuries to him.

4. Learned counsel for the petitioner submits that a perusal of the FIR itself would show that the allegation of assault is upon co-accused Sonu Kumar and the reason for the occurrence has also been stated to be a dispute with co-accused



Sonu Kumar on the previous day. It is further submitted that the name of the petitioner had been falsely taken in this case on account of an earlier dispute with the informant as the petitioner is an employee of the electricity department and a fine had been imposed upon the informant for theft of electricity for which an FIR was also lodged against the informant and his mother by the electricity department. Moreover, it has been alleged that the injuries are simple in nature as would be evident from Annexure-P/2, which is the injury report of the informant Rupesh Kumar.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and also considering that the main allegation of assault is upon co-accused Sonu Kumar which has produced simple injuries in the nature of abrasion and bruise and there is no specific allegation of assault upon the petitioner, let the petitioner, above named, having no criminal antecedent, in the event of his arrest or surrender before the Court below within four weeks, be released on anticipatory 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 Town
P.S. Case No. 253 of 2025, 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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