

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60917 of 2025

Arising Out of PS. Case No.-60 Year-2021 Thana- ATHMALGOLA District- Patna

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Vishal Kumar @ Sheru Kumar S/O Pappu Singh Village- Chanda, P.S.-
Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.
For the State : Dr. Mrs.) Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

5 18-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Athmalgola P.S. Case No. 60 of 2021, dated 28.03.2021, registered under Sections 147, 149, 341, 323, 307, 379, 405 of the I.P.C. and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 28.03.2021 informant's niece namely Ramakant Yadav was driving tractor. In the mean time, accused persons namely Sheru Kumar, Prahlad Kumar, Satish Kumar and Munchun Kumar stopped him and started assaulting by thrashing him on the ground. Sheru Kumar assaulted him with danda, due to which he received head injury. Thereafter, Pappu Kumar, Sudhir Singh and Manjay Singh also came and assaulted the informant and



his niece with iron rod, due to which, they sustained injury. Satish Singh opened fire and threatened him not to lodge case against them.

4. Learned counsel for the petitioner submits that this Court had called for the injury report vide order dated 10.09.2025, and a report vide letter no. 714, dated 09.12.2025 has been received, which indicates that the informant through his letter has submitted before the Investigating Officer that the documents with regard to treatment, obtained from a private Doctor at Bakhtiyarpur is not available and intimation so given by the informant finds reference in the said letter, which is sent by the S.D.J.M., Barh to this Court in the instant case. It has next been submitted that for allegations with regard to overt act, injury report is not available. Whereas, the other persons against whom the allegations being general and omnibus have already been extended privilege of anticipatory bail by a Coordinate Bench of this Court, vide order dated 04.07.2022 passed in Cr. Misc. No. 51332 of 2021.

5. On the other hand, learned A.P.P. has submitted that the allegations of overt act with the use of hard and blunt substance is there, but it is difficult to say anything with regard to nature of injury without injury report, which is not placed on the record, for which inability has been shown by the concerned as the



informant himself has informed to the Investigating Officer that the related documents are not available.

6. Be that as it may, since other co-accused persons have already been extended privilege of anticipatory bail and there is no material to suggest the nature of injury, which is said to have been caused by this petitioner, this Court taking cue from the interference given by a Coordinate Bench is inclined to give similar benefit to the petitioner, let the above named petitioner, be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned S.D.J.M., Barh, Patna in connection with Athmalgola P.S. Case No. 60 of 2021, subject to the condition as laid down under Section 482 of the B.N.S as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;



(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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