

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62671 of 2025

Arising Out of PS. Case No.-85 Year-2023 Thana- AGAMKUAN District- Patna

Sanjay Kumar S/o- Late Anuj Chandra Yadav @ Bholi Yadav R/v- Naya
Tola,Dabur Gali Kumhrar P.S-Agamkuan Distt-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijay Kumar Sinha, Adv. Mr. Arvind Kumar Srivastava, Adv. Mr. S.K. Bhatnagar, Adv.
For the Opposite Party/s :	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Agam Kuan P.S. Case No. 85 of 2023, registered for the offences under Sections 341, 323, 307, 448, 379, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons entered into the house of the informant armed with lathi, danda, rod and sharp weapons. They assaulted the parents of the informant causing a number of injuries to them. They fled away taking with them Rs. 15,000/- and some ornaments.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been



falsely implicated in this case no occurrence as alleged has ever taken place. From the FIR, it is apparent that the informant is not an eye-witness. There is no specific allegation of assault against the petitioner. The informant has not alleged any reason for the occurrence but earlier this petitioner has lodged Agam Kuan P.S. Case No. 676 of 2021 for offences under Sections 341, 385, 504, 506, 34 of the Indian Penal Code. This petitioner clearly mentioned that a partition of land has already taken place with the father of the informant but they used to create nuisance and demanded extortion and assaulted the petitioner. The injury report appears to be fabricated as the same was prepared prior to the X-ray and without any seal, signature and designation of the doctor. The petitioner is having antecedent of two cases and both the cases have been instituted by the mother of the informant and the petitioner has been enlarged on bail in both the cases. The petitioner is in custody since 18.04.2025. The charge-sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the case and counter case between both the parties and further



considering the period of custody of the petitioner, submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M – IV, Patna in connection with Agam Kuan P.S. Case No. 85 of 2023, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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