

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64701 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Kailash Kumar S/o Rajendra Singh R/o Udama Rekha, P.S- Muffasil, Dist-
Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Katihar Muffasil P.S. Case No. 215 of 2024 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 121(1), 132, 223, 140(3), 324(1), (3)(5), 303 (2), 352, 351(2), 3(5) of BNS 2023.

3. As per prosecution case, the container in question was under the surveillance of the police as certain incident had occurred by the container as a result of which motorcycle bearing Reg. No. GJ-21Y-3370 got damaged. In retaliation of the said damage, the container in question was surrounded by petitioner and other alongwith 40-50 unknown persons. It is alleged that all the accused persons damaged the



container in question and assaulted the police.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel submits that allegation against the petitioner is general and omnibus in nature and no specific overt act of assault is alleged against the present petitioner. As a matter of fact, the driver of the container had hit a person riding motorcycle and the local persons were demanding compensation. Learned counsel for the petitioner submits that co-accused persons having similar and identical allegations have already been granted anticipatory bail by this Court in Cr. Misc. Nos. 55771 of 2025 and on the principle of parity, petitioner deserves the same treatment. Apart from that, petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has participated in the alleged occurrence and he cannot escape from the liability of allegation as alleged in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, co-accused



has already been granted anticipatory bail by this Court, 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 his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of C.J.M, Katihar in connection with Katihar Muffasil P.S. Case No. 215 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

vashudha/-

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