

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67118 of 2025

Arising Out of PS. Case No.-1016 Year-2023 Thana- MADHEPURA District- Madhepura

Ajay Kumar, S/o Mahadeo Yadav R/o Village- Mahuwa Tola, Morkahi Ward
No. 14, P.S. and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-10-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 325, 379, 414 and 413 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that he is own brother in-law of Ajay Kumar
(petitioner) took his two vehicles on hire on the condition that
an amount of Rs.80,000/- shall be paid per month and the
instalment of the vehicle will also be deposited with the bank,
but instalment was not deposited nor the rental is paid and when
informant confronted him, petitioner assaulted him on his



private part. It is next alleged that petitioner sold the vehicle to scrap dealer.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner is own brother in-law of the informant i.e. petitioner is own brother of the wife of the informant. It is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that petitioner had taken both his vehicles on a rental of Rs.80,000/- per month with a condition that EMI shall also be paid and the said oral agreement in between the petitioner and the informant took place on 02.01.2021. It is submitted that it absolutely does not stand to reason that if petitioner was not paying the rental and the EMI since 02.01.2021, then why the informant did not approach a competent forum for getting the dispute resolved. It is also submitted that from perusal of the FIR, it would manifest that the date of occurrence is 28.09.2023, the fard-bayan recorded on 29.09.2023 and the FIR came to be instituted on 02.10.2023, which also casts an aspersion on the case of the prosecution as to why the FIR was lodged after a delay of three days. It is asserted and submitted that petitioner had purchased both the vehicles and vehicles are lying with him.



5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P. S. Case No.1016 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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