

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66914 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- JANKINAGAR District- Purnia

1. Arun Kumar Jaiswal @ Arun Kumar Jayswal @ Arun Jaiswal @ Arun Kr Jaiswal S/O Dhanraj Jaiswal R/O Village- Chopra Bazar, Ward No. 9, P.S.- Janki Nagar, District- Purnia
2. Mukesh Kumar Jaiswal @ Mukesh Jaiswal @ Mukesh Kr. Jaiwal S/O Arun Jaiswal R/O Village- Chopra Bazar, Ward No. 9, P.S.- Janki Nagar, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jankinagar P.S. Case No. 138 of 2025 for the offences punishable under Sections 121(1), 132, 118(1), 109, 324, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 10.05.2025 at about 5:30 P.M., Circle Inspector Shankar Prasad Sah, along with his driver Sonu Thakur and S.I. Rajaram, went to the house of accused Vikas Kumar Jaiswal at Village Chopra Bazar for supervision of Jankinagar P.S. Case No. 129/2025. During the course, accused Vikas Kumar Jaiswal, his brother Mukesh



Jaiswal and father Arun Jaiswal abused, assaulted and pelted stones upon the informant. Accused Vikas also attacked with a scissor causing cut injury on the finger of the informant, while stone pelting caused further injuries to him and to his driver Sonu Thakur. Both injured were treated at Banmankhi Sub-Divisional Hospital.

4. Learned counsel for the petitioners submits that petitioner Nos.1 and 2 are father-in-law and *bhaisur* of Nikki Kumari, for which the instant case is registered by the Circle Inspector making the allegations of the kind which forms part of the prosecution story. It has next been submitted that petitioners No.1 is working as a constable in Bihar Home Guard and petitioner No.2 is looking after the agricultural activities at his village and they are in no way connected with the affairs of Nikki Kumari, and has always maintained distance with her still his name has surfaced in the present case for oblique motive. It has also been submitted that husband of Nikki Kumar is in custody.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts that there is no specific allegation of assault or overt act attributed to petitioners



Nos. 1 and 2 rather the allegations are general and omnibus in nature and that the husband of Nikki Kumar is already in custody, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 Chief Judicial Magistrate, Purnea, in connection with Jankinagar P.S. Case No. 138 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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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