

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2720 of 2026

Arising Out of PS. Case No.-168 Year-2022 Thana- KHAGAUL District- Patna

Kundan Kumar Son of Tarun Singh R/o Village - Ratan Tola, P.S. - Maner,
Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vidyapati, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-01-2026 Heard Mr. Vidyapati, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khagaul P.S. Case No. 168 of 2022, F.I.R. dated 17.06.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 333, 353, 427, 307, 120(B), 337, 338, 506 of the Indian Penal Code and section 3/4 of Damage of Public Property Act.

3. As per the First Information Report, the informant alleged that the petitioner was a member of mob who were protesting against the Agnipath Scheme of Government. It is further alleged that after sometime the protesters in aggressive manner started damaging the vehicles present there and they



vandalized the police vehicle and set private vehicles on fire. They threw bricks and stones on the police force due to which the police personnel got severe injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Initially, the petitioner was not named in the F.I.R., the name of the petitioner has been transpired on the basis of confessional statement of apprehended co-accused, namely, Vikki Kumar. From a bare perusal of the F.I.R., it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather the allegation is general and omnibus in nature and similarly situated co-accused persons, namely, Gajraj Kumar and Tannu Kumar have been granted anticipatory bail by a coordinate Bench of this Hon'ble Court vide order dated 09.10.2025 passed in Cr. Misc. No. 71435 of 2025 and another co-accused persons, namely, Manish Kumar and Chotu Kumar have been granted anticipatory bail by this Court vide order dated 29.07.2025 passed in Cr. Misc. No. 50387 of 2025.

5. Learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, there is no specific allegation of any assault or overt act attributed against the petitioner and similarly co-accused persons have been granted bail by different Coordinate Benches of this Hon'ble Court, let the petitioner, above named, in the event of his 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 A.C.J.M., 5th, Danapur in connection with Khagaul P.S. Case No. 168 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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