

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12683 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- Arwal District- Arwal

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Kush Kumar @ Kush Pathak @ Kush Kumar Pathak Son of Late Ram Pratap
Patak Resident of Village - Koil Bhupat, P.O. - Koil Bhupat, P.S. - Mehandia,
Dist. - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-03-2026 1. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Arwal Police Station Case No. 261 of 2024, dated 11.07.2025, disclosing offences under Sections 340(2)/318(4)/338/336(3)/352/351(2) of the Bhartiya Nyaya Sanhita.
3. The prosecution case lodged on 11.07.2025, the allegation is that the petitioner, by using a fake Instagram ID, sent a forged copy of the FIR to the informant's wife, threatened the informant and his wife and demanded money in the name of entering into compromise in the aforesaid FIR. Accordingly, it is alleged that on the basis of fake



documents and morphed photographs, the informant and his family is being harassed by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case with malicious intention and on the basis of concocted story. The petitioner has not committed any offence in the manner alleged. He next submits that prior to lodging of the present FIR, the petitioner has lodged a complaint before the Sub Divisional Officer, Arwal, on 05.05.2025, regarding the ration card obtained by the informant and his family members, including his wife, on incorrect fact although they were not entitled for ration card. The copy of the complaint made before the SDO, Arwal, dated 05.05.2025, has been annexed at Annexure-2. He next submits that another complaint was made by the petitioner before the Sub-Divisional Officer, Arwal, on 26.04.2025 against the informant and his family members with regard to assault and threatening made to the petitioner and his family members on 22.04.2024 and 24.04.2024. Subsequently, the petitioner was assaulted by the brother and son of the informant on 02.07.2025, for which, the petitioner lodged a complaint before the police



station and, thereafter, on 07.07.2025, the petitioner lodged complaint before the Superintendent of Police, Arwal, DIG, Magadh Division Gaya and DGP, Bihar, Patna, with respect to action not taken by the local police and false implication of the petitioner. He further submits that in retaliation of the complaint made before the SDO, Arwal, and other higher police authorities, the present First Information Report has been lodged against him having no substance.

5. Learned counsel for the State opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner of using fake Instagram ID for harassing the informant and his wife.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation made against the petitioner and the fact that prior to the lodging of the present FIR, the petitioner has lodged complaint before various authorities against the informant and his family members, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, in connection with Arwal Police Station Case No. 261 of 2024, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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