

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29805 of 2026**

Arising Out of PS. Case No.-516 Year-2023 Thana- GHORASAHAN District- East  
Champaran

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Mukesh Kumar S/o Ramesh Prasad R/o vill - Ghorasahan, P.S.- Ghorasahan,  
Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

3      24-06-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in connection with Ghorasahan P.S. Case No. 516 of 2023 for the offence punishable under sections 341, 323, 324, 325, 307, 379, 504, 506/34 of the IPC lodged on 06.9.2023 by the informant.

3. As per the prosecution case, the allegation against the petitioner is that he along with other accused persons assaulted the informant and looted away Rs. 9200 from his shop. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence as alleged in the FIR and he has falsely been implicated in this case due to malicious reason, there is a case and counter case between the parties and



the instant case is the counter version of Ghorasahan PS Case No. 510 of 2023 having been filed on 02.09.2023 which is prior to the present FIR. The occurrence has taken place on 01.09.2023 while the FIR has been lodged on 06.09.2023 after the delay of five days and there is no plausible reason for such delay. It has further been submitted that the nature of injury sustained by the informant does not corroborate the allegations as levelled in the FIR. It has next been submitted that the case registered by this petitioner in which, the informant and other members have secured anticipatory bail on the ground of case and counter case vide Cr. Misc. No. 60374 of 2025 on 02.02.2026 by a Co-ordinate Bench of this Court.

5. Learned counsel for the petitioner further submits that the petitioner has also received injuries and the said injuries were examined by the Medical Officer, namely, Dr. Vinod Kumar, PHC, Ghorasahan and the said injury report has been tendered by the learned counsel for the petitioner during course of argument which is kept on record which is marked as 'X'.

6. Learned APP opposes the prayer for anticipatory bail.

7. Considering the fact that there is a case and counter case between the parties, both sides have received



injuries and the informant along with other members have secured anticipatory bail on the ground of case and counter case *vide* Cr. Misc. No. 60374 of 2025 by a Co-ordinate Bench, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ***Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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/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 his/their bail  
bonds.*

**(Ajit Kumar, J)**

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