

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36306 of 2026**

Arising Out of PS. Case No.-131 Year-2020 Thana- KIUL District- Lakhisarai

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Pramod Kumar S/o Ramswarup Yadav Resident of village - Basmatiya, P.S -
Kiul, Distrcit - Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-06-2026 Heard Mr. Manoj Kumar, learned Advocate for the

petitioner and Mr. Shailendra Kumar, learned Additional Public

Prosecution for the State through virtual mode.

2. The petitioner apprehends his arrest in connection
with Kiul P.S. Case No. 131 of 2020, registered for the offences
punishable under Sections 341, 323, 324, 354, 354(B), 379/34
of I.P.C.

3. On the given date and time, while the informant
along with his brother, who were sitting in their house, in the
meanwhile, all the F.I.R. named accused persons, including the
petitioner, came there and started abusing. When the informant
protested, co-accused Udish Yadav assaulted him by means of a
sharp knife on his head due to which, he sustained serious head
injury. It is further alleged that when the brother and the *bhabhi*
of the informant came to save him, all the accused persons,



including the petitioner, also assaulted them and snatched the valuables.

4. Learned Advocate for the petitioner submitted that only on account of the previous enmity, the name of entire family members have been implicated in this case. Even if, the allegation taken to be true for the sake of argument, the specific accusation has been levelled against co-accused Udish Yadav. During the course of investigation, the Investigating Officer has found no material against the petitioner, and accordingly, the petitioner has not been sent-up for trial, but subsequently, differing with the final report, the learned Chief Judicial Magistrate, Lakhisarai vide his order dated 20.01.2025, took cognizance of the offences as alleged in the F.I.R. against the petitioner also. Hence, the present application for anticipatory bail. It is lastly contended that there is a case and counter-case and moreover, the petitioner bears fair antecedent and at present, working as Group-D staff in Railway at Kiul.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the F.I.R. was instituted long back in the year 2020 and the petitioner has approached this Court after delay of five years; besides, there is allegation of active participation.



6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact that police after investigation, has submitted final report and not sent-up the petitioner for trial, however, differing with the final report, the learned jurisdictional court has taken cognizance for the offences alleged in the F.I.R. belatedly on 20.01.2025 and the petitioner bears fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Lakhisarai in connection with Kiul P.S. Case No. 131 of 2020, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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