

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63840 of 2025

Arising Out of PS. Case No.-313 Year-2023 Thana- NAUTAN District- West Champaran

Kashi Lal Prasad Son of Late Nathuni Seith Resident of Village - Dhumnagar,
P.S. - Nautan District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-02-2026 1. Heard learned counsel for the petitioner, Mr. Chandra Bhushan Prasad, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and in sum and substance, the allegation against him is that he along with Sumit Kumar assaulted the injured by knife.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that the police, after threadbare investigation, came to a considered conclusion that petitioner is innocent, thus, submitted final form exonerating the petitioner



of the allegation as alleged in the FIR but then the learned trial court took cognizance based on which the petitioner apprehends his arrest. It is next submitted that one investigating agency, after threadbare investigation, came to a considered conclusion that petitioner is innocent, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the petitioner of the allegation. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then learned counsel appearing on behalf of the informant is not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the police, after investigation, submitted final form exonerating him of the allegation.

6. After hearing the learned counsel for the parties, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Nautan P.S. Case No. 313 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

7. However, if the learned trial court comes to a conclusion that petitioner, after his release on anticipatory bail, is trying to delay the framing of charge or after framing of charge is trying to delay the trial of the case in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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