

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78352 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- BIHARIGANJ District- Madhepura

Ashish Kumar @ Ashik Singh @ Ashik Kumar Son of Kari Paswan R/o -
Majahar Patti, Ward No.03, P.S - Udakishunganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr Sanjay Kumar Singh, Advocate
For the Informant	:	Mr. Tushar Anand, Advocate
For the State	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-05-2026 Heard learned counsel for the parties concerned.

2. The petitioner apprehends his arrest in connection with Bihariganj Police Station Case No. 181 of 2025, dated 26.04.2025, registered for the offence punishable under Sections 115(2), 118(1), 109(1), 352 and 3(5) of Bharatiya Nyaya Sanhita.

3. The prosecution case, as per the First Information Report, is that on 08.04.2025 at about 06:00 p.m., informant along with his brother was proceeding towards the Mill with timber loaded on a tractor and when he was on the way, petitioner along with co-accused Manoj Kumar, Navin Kumar and 3-4 unknown persons intercepted them, impersonated forest officials, and demanded Rs. 25,000/- as bribe for allowing them



to proceed further. Upon protest, co-accused Navin Kumar ordered that the tractor would be parked in the office of Forest Department. Thereafter, all the accused persons started abusing and assaulting. Petitioner assaulted the informant with the butt of a gun but anyhow the informant jumped from the tractor. Petitioner crushed the informant's brother by tractor and left him thinking dead and started fleeing away taking tractor after seeing the villagers. With the help of timber owner, the informant's brother was taken for medical treatment to Sub-Divisional Hospital, Haraili, Udakishunganj and thereafter referred to J.N.K.T.. Hospital, Madhepura and P.M.C.H., Patna for treatment and then admitted in a private hospital R.K.Y. Life Care Hospital, Patna where his treatment is going on.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. There is an unexplained delay of 18 days in lodging the FIR. The injury report of the injured has not been brought on record and the petitioner is not a forest department employee. Learned counsel for the petitioner further submits that similarly situated co-accused persons, namely, Navin Kumar and Manoj Kumar have already been granted anticipatory bail which is annexed as Annexure-P/2 series.



5. Learned counsel for the informant as well as the learned Additional Public Prosecutor for the State vehemently opposed the prayer for bail and submits that the petitioner is the main assailant who assaulted the informant's brother with the butt of a gun and crushed him with the tractor due to which he sustained grievous head injury.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is the main assailant who assaulted the informant's brother with the butt of a gun and crushed him with the tractor due to which he sustained grievous head injury, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. Accordingly, the prayer for bail is rejected.

(Anil Kumar Sinha, J)

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