

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87354 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- SULTANGANJ District- Patna

Abhishek Kumar Son of Amarnath @ Amar Saw Resident of Dargah Road
Chauraha, P.S.- Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Shekhar, Advocate
For the State : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Mr. Raj Shekhar, learned counsel for the
petitioner and Mrs. Pushpa Sinha, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 211 of 2025, F.I.R. dated 16.05.2025 registered for the offences punishable under Sections 115(2), 118(1), 126(2), 352, 3(5) of the B.N.S., 2023.

3. The prosecution case, in brief, is that on 15.05.2025 the informant went to the shop of accused petitioner namely Abhishek Kumar to pay the dues amount and paid Rs. 2,000/- out of Rs. 4,000/-. Accused petitioner asked to pay full amount which turns into hot talk and filthy words with the informant. In the meanwhile, petitioner and other co-accused person attacked to the informant with dagger as a result of which he sustained injury.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of the F.I.R, it appears that due to admitted dues amount the present occurrence had taken place and there is no specific allegation of any assault or overt act attributed against the petitioner and there is specific allegation of assault attributed against co-accused person, namely, Meraj and the injury report of the injured person suggests that the injury is simple in nature which is not vital part of the body.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act attributed against the petitioner in the F.I.R., let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna City, Patna in connection with Sultanganj P.S. Case No. 211 of 2025, subject to the conditions as laid down under Section 438(2)



of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023
and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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