

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2229 of 2026

Arising Out of PS. Case No.-382 Year-2024 Thana- JAKKANPUR District- Patna

=====

Adarsh Kumar S/O Late Bikram Prasad @ Bikram Sah @ Bikrama Prasad
Resident of Village- Parsa Garh Bazaar, P.S- Ekma, District- Saran At Chapra,
Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APp

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Jakkanpur P.S. Case No. 382 of 2024 registered for the offences
under Sections 126(2), 115(2), 1180(1), 109 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, it is alleged that the
petitioner, along with three others, had intercepted the informant
and had assaulted him with a knife while one co-accused,
namely, Manmohan Kumar, had hit the informant's head with a
hammer. It is further alleged that on the calling of the police, the
accused persons fled away.

4. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case out of grudge and for the same incident, one counter case was also lodged on behalf of the co-accused in the present case, namely, Manmohan Kumar. It has further been submitted that on account of some land dispute, the present false and concocted case has been lodged and from perusal of the injury report, which has also been brought on record, it would appear that the injuries sustained by the informant were found to be simple in nature. It has also been submitted that the informant has suppressed the fact that the petitioner and the named accused persons are his own nephews. It has also been submitted that the elder brother of the petitioner, namely, Niraj Kumar, has been granted bail by a Co-ordinate Bench of this Court and the order of the same has been brought on record by way of Annexure-P7. It has lastly been submitted that the petitioner carries clean antecedent.

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

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Jakkanpur P.S. Case No. 382 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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.

7. Accordingly, the prayer for anticipatory bail is allowed.



8. It is made clear that the observation, if any, made in
this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

manoj/-

U		T	
---	--	---	--

