

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4075 of 2026

Arising Out of PS. Case No.-357 Year-2025 Thana- KAKO District- Jehanabad

Abhay Kumar S/o Binda Yadav Resident Of Village- Satanpur, P.s.- Kako,
Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Neeraj, Advocate
		Ms. Kumari Anjani Sinha, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, APP
For the Informant	:	Mr. Sanjay Kr. Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Nityanand Neeraj, learned counsel for the petitioner, Mr. Sanjay Kr. Sinha, learned counsel for the informant and Mr. Arun Kumar Pandey, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kako P.S. Case No. 357 of 2025, F.I.R. dated 26.09.2025 for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including this petitioner have abused and assaulted the informant and his wife.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the informant is the own brother of the petitioner and due to some petty dispute the present occurrence has taken place and there is no intention to kill anyone but still the informant received injury.

5. Learned counsel for the informant and learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, both the parties are agnate to each other and the injury report shows "lacerated wound of size 2cm x 1cm x 1cm upon the frontal region", let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad in connection with Kako P.S. Case No. 357 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following



conditions:-

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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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