

IN THE COURT OF IInd ADDITIONAL SESSIONS JUDGE, BHOJPUR AT ARA
Ashok Kumar Vs. State of Bihar
A.B.P. No.-906 of 2026
Complaint Case No. 2093C/2024
U/ss - 316(2), 318(2) of B.N.S.

Ser ial no.	Date of Order of proceeding	Order with signature of the Court	Office action taken with date
1	2	3	4

	<u>10-04-2026</u>	The present petition for anticipatory bail has been filed on behalf of accused/ petitioner namely Ashok Kumar apprehending his arrest in connection with the present case. The prosecution case in brief is that the complainant Vishwanath Singh filed a complaint case bearing no.2093C/2024 against Ashok Kumar stating that accused had taken loan of Rs.2,00,000/- from the complainant on 03.04.2020 with promise to return the same within two months and an agreement on the stamp paper of Rs. 100/- was made which was signed by the accused. When the accused did not return the loan amount even after the repeated requests from the complainant, the complainant sent a legal notice on 20.01.2023 through his counsel which was not replied by the accused thereafter the complainant sent four legal notices to the accused but he did not reply anyone of the legal notice sent by the complainant. The complainant gave an application in the police station but the police did not take any action against the accused. The accused invited the complainant to his house in ruse of returning his money and took the agreement paper from him and tore it away. The accused abused and committed mar-peat with the complainant and also threatened him on the point of pistol. Learned counsel for petitioner submitted that petitioner is innocent and has committed no offence. The petitioner has been falsely implicated in this complaint case due to enmity and greedy nature of the complainant. The prosecution story is totally false and based on concoction. The origin of occurrence, manner of occurrence, place of occurrence as well as date and time of the occurrence are false and concocted. The complainant is habitual litigant and he has filed several cases against the petitioner due to enmity and any how he wants to receive money from the petitioner in illegal way on the basis of false and concocted case. The complainant has lodged F.I.R. Ara Nawada P.S. Case No. 66/2025 against the petitioner with same allegation in the same manner and after investigation, officer of this case has submitted final form. The complainant had file an another complaint case no. 1464(C)/2024 against the petitioner u/s 138 N.I. Act with same allegations as the prosecution story in this case. Petitioner had preferred criminal revision case no. 151/2024 against order of cognizance passed by learned lower court and in this criminal revision after hearing learned 10th A.D.J. Bhojpur at Ara allowed aforesaid criminal revision vide Cr. Revision No. 151/2024.	
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	<u>Conti.....</u> 10-04-2026	Learned Additional Public Prosecutor has opposed the prayer of anticipatory bail. Arguments heard and record perused. From the perusal of the record, it transpires that the allegation against the petitioner is that he took loan of Rs. 2,00,000/- from the complainant with promise to return it within two months. However, the petitioner did not return the loan amount and when the complainant demanded the loan amount, he committed the mar-peat with him and also threatened him with pistol. It is further evident from the record that the process u/s 82 Cr.P.C. has been directed to be issued against the petitioner. However, there is no service report/execution report of summons and N.B.W. issued against petitioner on the record. Since the dispute pertains to the transaction of money between the parties and there is nothing on the record to show that the complainant had sustained injury. Therefore, keeping in view the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail in the event of his arrest or surrender before the learned court below within one month from today upon furnishing bail bonds to the tune of Rs. 10,000/- with two sureties of the like amount each subject to the satisfaction of court concerned. The anticipatory bail petition is accordingly allowed. It is further directed that the petitioner shall co-operate during trial and shall remain physically present/do proper pairvi on each and every date fixed by the lower court during trial. Dictated (Sudhakar Pandey) IInd Addl. Sessions Judge Bhojpur at Ara 10.04.2026	
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