

A.B.P No. 1033/2026**Kundan Kumar..... Petitioner.****Vs.****State of Bihar.....O.P.****O R D E R****09.06.2026**

This application has been filed, for grant of anticipatory bail, on behalf of the accused petitioner namely, Kundan Kumar, in connection with Sahebganj P.S. Case No. 19/2026, registered U/Ss 318(4), 316(2), 115(2), 352, 351(2) of the BNS, pending in the Ld. Court of A.C.J.M. 2nd, Muzaffarpur (West).

Heard arguments of Ld. Counsel, appearing for the accused petitioner and Ld. A.P.P. for the State.

Ld. Counsel for the accused petitioner has submitted that previously no anticipatory or regular bail petitions of any nature, had been filed by the accused petitioner, either in this court or before the Hon'ble High Court. That the petitioner has got criminal history of one case. That the petitioner is quite innocent and has falsely been implicated in this case. That there is no entrustment by the informant, hence, there is no question of misappropriation of entrusted amount. That offences U/Ss 318(4) & 316(2) are not made out against the petitioner and other offences are bailable in nature. It has further been submitted that the petitioner has got genuine apprehension of his arrest in this case. Ld. counsel for the petitioner side, prays for his release on anticipatory bail.

Ld. A.P.P. for the state, opposed the prayer for anticipatory bail.

Perused the record, including the FIR. Despite repeated directions, the Ld. APP for the state has not submitted updated case diary. From perusal of record, it transpires that allegation against the petitioner is that he had taken Rs. 64,000/- from the informant as 'Beyana', for selling a car to the informant, but the car was not sold to the informant. From perusal of record, it appears that it has not been shown by the informant that the petitioner was running any agency for selling of cars. There is no mention of any written agreement for sale in the FIR, as well. Allegation against the petitioner is omnibus and vague in nature.

Considering the aforementioned facts and circumstances of the case, including nature of allegations against the accused petitioner, the prayer for

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anticipatory bail, in respect of him, is hereby **allowed**. Accordingly, in the event of his arrest or surrender within four weeks from today, the accused petitioner, namely, **Kundan Kumar**, is directed to be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousands) with two sureties of the like amount, to the satisfaction of the Ld. Court below and subject to the conditions, as laid down u/s 482 (2) of the B.N.S.S. Let a copy of this order be sent to the court concerned, for needful.

(Dictated)

Sd./-

1st Addl. Sessions Judge
Muzaffarpur