

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2242 of 2026.

Kaushal Kumar Giri

..... **Petitioner.**

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

03 09-06-2026

- 1.** The **petitioner, Kaushal Kumar Giri**, seeks anticipatory bail in connection with **Complaint Case No. 10983(C) of 2023**, wherein vide order dated 04.10.2024, the learned Magistrate found a prima facie case under Sections 323, 420, and 504 of the Indian Penal Code, 1860 against the petitioner, who is the Proprietor of Ambedkar Para Medical Institute Library.
- 2.** Heard Sri Rajeev Kumar Pandey, learned counsel for petitioner and Sri Rajesh Kumar, learned Public Prosecutor for State.
- 3.** The complainant, Akshay Kumar, proprietor of M/s Apex India, a medical and laboratory equipment supply firm in Patna, alleges that the petitioner approached him seeking laboratory equipment worth ₹18,57,300/- for his new venture, M/s Mamta Institute of Education in Siwan. The petitioner assured timely payment and claimed the supplies were urgently required before a university inspection scheduled for 22.05.2023. Relying on these representations, the complainant procured the items on short-term credit and delivered them on 21.05.2023. The petitioner used the equipment and original invoices to successfully clear the inspection on 22.05.2023 but thereafter denied acceptance of the consignment and refused payment. Upon inspection of the transport vehicle, the complainant discovered several high-value items missing, suggesting a premeditated scheme to dishonestly induce delivery and misappropriate the goods. When a legal notice was served on 12.10.2023 demanding payment, the petitioner, accompanied by armed associates, allegedly stormed the complainant's office, assaulted him and his staff, causing serious injuries, and threatened them with death should the matter be reported to the authorities.
- 4.** Learned counsel for the petitioner submits that the only non-bailable offence alleged is under Section 420 IPC, which carries a maximum sentence of seven years and is triable by a Magistrate. It is further

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**Contd....
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contended that the present case was instituted in retaliation to Complaint Case No. 8288(C)/2023 filed by the petitioner on 11.09.2023. Learned counsel points out that although the alleged occurrence dates back to 12.05.2023, the complaint was lodged belatedly on 04.12.2023 without explanation for the delay. Furthermore, the dispute is civil in nature which has been given a criminal cloak. Emphasis is placed on the fact that this being a complaint case, custodial interrogation is unwarranted, and the petitioner has clean antecedent.

5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioner. However, he is not in a position to controvert the submissions advanced on behalf of the petitioner.
6. Having regard to the facts and circumstances, the nature of the alleged offences and their punishment; the submissions of learned counsel; the fact that this is a complaint case where custodial interrogation is not required; and the petitioner's clean antecedent as stated in paragraph 3 of the application, the prayer for anticipatory bail is **allowed**. It is directed that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the petitioner shall be released on bail upon furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned court below, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

(Dictated)

Sd/-

**(Rupesh Deo)
Sessions Judge, Patna**

Date of Order	09-06-2026
Date of Reserving Order	NA
Uploading Date	09-06-2026
Uploaded by	Rahul Raj/-