

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22494 of 2025

Arising Out of PS. Case No.-654 Year-2024 Thana- GAURICHAK District- Patna

1. Karan Pratap Kumar @ Karan Singh Son of Praveen Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
2. Aman Kumar Son of Guddu Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
3. Awadhesh Singh Son of Late Kedar Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
4. Shyam Kumar Son of Late Birda Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
5. Rishav Singh @ Murari Kumar @ Shivan Singh @ Shivam Singh Son of Vikash Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
6. Rohit Kumar Son of Vikash Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
7. Sandeep Kumar @ Sunny Kumar @ Sanny Kumar Son of Guddu Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
8. Guddu Singh @ Rajeev Singh Son of Ramadhar Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
9. Vikash Singh Son of Awadhesh Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
10. Abhinash Kumar @ Abhinash Kumar Singh Son of Arjun Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
11. Abhimanyu Kumar @ Abhimanyu Kumar Singh Son of Arjun Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna
12. Sonu Anand @ Gandhi Jee Son of Bhim Singh Resident of Village - Jamunapur, P.S. - Gaurichak, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2025

Heard Mr. Shyamal Prakash, learned counsel for
the petitioners and Mr. Bharat Bhushan, learned Additional
Public Prosecutor for the State.



2. The petitioners are apprehending their arrest in connection with Gaurichak P.S. Case No. 654 of 2024, F.I.R. dated 05.11.2024 for the offences punishable under Sections 191 (2), 190, 115 (2), 303(2), 109, 324(2), 352, 351 and 351 (2) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all these petitioners were demolishing the toilet tank of the informant and on protest made by the informant and his family members, they assaulted them and also snatched Rs. 5,000/- and a gold chain.

4. Learned counsel for the petitioners submits that petitioner nos. 1 to 9 have clean antecedent and petitioner nos. 10, 11 and 12 carries one criminal antecedent other than the present one but they are on bail in the pending matter. The present case is the counter blast of Gaurichak P.S. Case No. 653 of 2024 filed by the petitioners against the informant and his family members. He further submits that from perusal of the FIR it appears that due to admitted land dispute the present occurrence has taken place. He further submits that the petitioners and the informant are neighbors. Although the petitioners are named in the FIR but it appears from the FIR that there is no specific allegation against these petitioners rather



there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the family members of the informant have injuries but the injury report of the injured persons suggest that the injuries are simple in nature (Annexure-3 series). He further submits that the similarly situated co-accused, namely, Deepak Kumar Deepkesh @ Golu has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 16.04.2025 passed in Cr. Misc. No. 19320 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against these petitioners rather there is general and omnibus allegation against them and the co-accused person has been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- 2nd Patna City, Patna in connection with Gaurichak



P.S. Case No. 654 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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