

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20103 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- GOPALGANJ TOWN District- Gopalganj

1. Navnita Sanjay @ Navnita W/O Shree Kumar Sanjay Resident of Post Office Chowk Ward no. 15, P.S- Gopalganj, District- Gopalganj.
2. Ankit Aditya S/o-Shree Kumar Sanjay Resident of Post Office Chowk Ward no. 15, P.S- Gopalganj, District- Gopalganj.
3. Sanjeev Kumar @ Chhote @ Sanjeev Verma S/o Late Jitendra Nath Verma Resident of Mohalla- Shastri Nagar, P.S- Siwan Town, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2025 Heard Mr. Rakesh Kumar Shrivastava, learned counsel for the petitioners as well as learned counsel for the informant and Mr. Upendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Gopalganj Town P.S. Case No. 48 of 2025, F.I.R. dated 18.01.2025 for the offences punishable under Sections 126(2), 115(2), 109, 76, 352, 351(2), 3(5) of BNS Act, 2023.

3. According to prosecution case, due to admitted land dispute, the petitioners along with other accused persons



assaulted the informant on her with various weapons due to which she sustained injuries.

4. Learned counsel for the petitioners submits that petitioner no. 1 carries two cases other than the present and he is on bail in the pending matters one and petitioner nos. 2 and 3 have clean antecedent. He further submits that the informant and petitioners are agnates to each other and there is admitted land dispute between them and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the F.I.R. but from perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and there is a case and counter case and there is admitted land dispute between the parties and one Title Suit No. 197 of 2024 is pending between the parties.

5. The learned Additional Public Prosecutor as well as informant has vehemently opposed the prayer for bail of the petitioners and submits that although the petitioners are named in the F.I.R. but there is no specific allegation of assault or overact against the petitioners in the F.I.R. but during investigation the injured person, who happens to be the husband



of the informant has categorically stated that Ankit Aditya has assaulted him due to which he sustained grievous injury.

6. Considering the aforesaid facts, there is no specific allegation against these petitioners in the F.I.R and there is case and counter case and there is admitted land dispute between the parties and there is one Title Suit which is pending, 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 Chief Judicial Magistrate, Gopalganj, in connection with .Gopalganj Town P.S. Case No. 48 of 2025 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 tamper 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)

Jyoti Kumari/-

U		T	
---	--	---	--

