

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20942 of 2025

Arising Out of PS. Case No.-764 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Julush Sah S/o- Shri Rameshwar Sah R/o Village- Shyam Cinema Road, 131,
Purani Chowk, Post-Gopalganj, P.S. Town Gopalganj District- Gopalganj
Bihar 841428

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Saket Kumar Jha, Advocate
	:	Mr. Pramod Kumar Yadav, Advocate
	:	Mr. Neeraj Kumar, Advocate
For the State	:	Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard Mr. Saket Kumar Jha, learned counsel for the

petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Gopalganj P.S. Case No. 764 of 2024 for the offence under Sections 126(2), 115(2), 118(1), 109 and 352 of the B.N.S., lodged on 24.10.2024 by the informant, Somari Kumar.

3. As per the prosecution story, the informant alleged that on the fateful day, the petitioner came and assaulted him as also his wife causing injury on his head as also the finger of his wife. This led to the F.I.R.

4. Learned counsel for the petitioner submits that both are family members, the informant is own brother, he is in the habit of litigating with the family and so far as the injuries are concerned, with the help of Annexure-P/3 has shown that the



same have been found to be simple in nature. Last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay for the treatment Rs.5,000/- each (totaling Rs.10,000/-) to the informant and his wife by Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that learned Sessions Judge has recorded the injury of the informant on his head.

6. Having heard the parties, though the injuries on head, the document shows that it is simple in nature, the petitioner do not have criminal antecedent, informant is his own brother, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment Rs.5,000/- each (totaling Rs.10,000/-) to the informant and his wife by Demand Draft issued by the local branch of State Bank of India and the receipt has to be submitted before the Trial Court and after checking credentials to handed over to the informant.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned court concerned, in connection with Gopalganj P.S. Case No. 764 of 2024, subject to the conditions as



laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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