

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23260 of 2025

Arising Out of PS. Case No.-167 Year-2019 Thana- BIHPUR District- Bhagalpur

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Gaurav Kumar Yadav, aged 23 yrs (M), Son of Dilip Kumar Yadav, resident of Village- Narayanpur, P.S- Bihpur (Bhawanipur O.P) , District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Mukesh Kumar, learned counsel appearing on behalf of the petitioner and Mr. Rajiv Nayan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Bihpur (Bhawanipur) P.S. Case No. 167 of 2019, registered for the offence punishable under Sections 341, 323, 308 and 504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other accused persons, had assaulted the informant causing injury on his head.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that injury sustained by the informant is simple in nature and



attributable to one co-accused Amit Kumar. Specific allegation against the petitioner is of snatching golden locket of the informant. There is case and counter case between the parties. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that injury sustained by the informant is simple in nature and attributable to one co-accused Amit Kumar. Specific allegation against the petitioner is of snatching golden locket of the informant. There is case and counter case between the parties. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Naugachhia, in connection with Bihpur (Bhawanipur) P.S. Case



No. 167 of 2019, subject to the condition as laid down under
Section 482(2) of the BNSS.

8. The learned District Court is directed to verify
the criminal antecedent of the petitioner as stated in
paragraph no. 3 of the bail application. If any other case is
pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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