

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23291 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- DARIGAON District- Rohtas

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Gopal Singh @ Gopal Kumar Yadav, aged about 33 years (Male), son of Rambilash Singh, Resident of Village- Beladhi, P.O.- Darigaon, Ward No. 8, P.S.- Darigaon, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-04-2025 Heard Mr. Rajani Kant Singh, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Darigaon P.S. Case No. 58 of 2024, registered for the offence punishable under Sections 126 (2), 115 (2), 109, 74, 352, 351 (1), (2) and 3 (5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the allegation made in the FIR, petitioner along with other accused persons, had assaulted the informant and his family members, due to which, the daughter of the informant had sustained head injury.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. There is case and counter case between the parties arising out of the same incidence. Petitioner and informant are agnates. Injury sustained by the daughter of the informant, as per the opinion of the doctor, is simple in nature. Due to land dispute, an altercation took place between the parties and in course of the same, the petitioner may have caused injury to the informant party in his self defence, without intention. 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 there is case and counter case between the parties. Injury sustained by the daughter of the informant, as per the opinion of the doctor, is simple in nature. Due to land dispute, an altercation took place between the parties and in course of the same, the petitioner may have caused injury to the informant party in his self defence, without intention. 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 Chief Judicial Magistrate, Rohtas, in connection with Darigaon P.S. Case No. 58 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

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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