

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26014 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- NAVINAGAR District- Aurangabad

1. Indeshwar Gupta @ Indeshwar Kumar Gupta S/o Bandhu Sao R/o vill - Ambedkar Nagar, Navinagar, P.s.- Navinagar, Distt.- Aurangabad
2. Shankar Sao S/o Bandhu Sao R/o vill - Ambedkar Nagar, Navinagar, P.s.- Navinagar, Distt.- Aurangabad
3. Vikash Kumar S/o Shankar Sao R/o vill - Ambedkar Nagar, Navinagar, P.s.- Navinagar, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mukul Kumari, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-05-2025 Heard Mr. Mukul Kumari, learned counsel for the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Navinagar P.S. Case No. 42 of 2025 instituted under Sections 126(2), 115(2), 118, 109, 3(5) of the B.N.S respectively for the offence under sections 341, 323, 324, 307/34 of the Indian Penal Code lodged on 09.02.2025 by the informant, Govind Kumar Gupta.

3. As per the prosecution story, the informant alleged that on minor dispute of building construction, the accused side assaulted number of persons from the informant's side causing injury to Govind Kumar Gupta on head, Sunil Kumar Gupta became unconscious while Arvind Kumar Gupta also sustained injury on hand and back beside the head. This led to the FIR.

4. Learned counsel for the petitioners submit that there



is case and counter case, omnibus allegation is there against them and one of the accused Bindeshwar Prasad Gupta has been granted bail.

5. Learned APP on the other hand has taken this Court to the learned Sessions order to show that all the three injured have sustained serious injuries to the range of 4"x1/2"x1/4" (Arvind Kumar Gupta), 3"x1/2"x1/4" on the frontal region so far as (Govind Kumar Gupta) is concerned and Sunil Kumar Gupta suffered injuries beside have received fracture on frontal bone from right supraorbital ridge while nasal bone fracture of Arvind Kumar Gupta is there.

6. Considering the kind of assault/injuries that are attributed to these petitioners, it is advisable that they also follow the route of Bindeshwar Prasad Gupta and seek bail.

7. No case of anticipatory bail is made out which is accordingly rejected.

8. However, if the petitioners surrender within four weeks from today, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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