

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30060 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- GOPALGANJ TOWN District- Gopalganj

1. Umesh Kumar Chaurasiya @ Umesh Chaurasiya S/O Late Kapildev Chaurasiya R/O Sareya, Ward No. 01, PS Gopalganj, District Gopalganj
2. Uday Kumar Chaurasiya @ Uday Chaurasiya S/O Late Kapildev Chaurasiya R/O Sareya, Ward No. 01, PS Gopalganj, District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devashish Giri

For the Opposite Party/s : Mr. Renuka Ratnakar (App 125)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 15-05-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gopalganj Town Police Station Case No. 25 of 2025, dated 11.01.2025, disclosing offences under Sections 126(2)/115(2)/118(1)/109/303(2)/351(2)/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that on 08.01.2025, at about 09:00 PM in the night, the informant, along with his elder brother, was going towards their house in their car. No sooner that they reached the roundabout on NH-27 near Yadopur, the petitioners, along with other named accused persons and ten unknown person, stopped the car and pulled the



informant and his brother out of it. The petitioners assaulted the informant by means of knife on his head and hand.

4. Learned counsel for the petitioners submits that both the parties are related from mother's side and the petitioners are maternal-uncle of the informant. The petitioners have falsely been implicated in the present case due to the fact that the informant and his elder brother, along with other persons, used to sell illicit liquor around the shops of the petitioners and other shops-keepers, which was objected by the petitioners and threatened that it would be informed to the police, if the informant and others keep on selling illicit liquor around their shops. Upon which, the informant and others got annoyed and he along with 22-25 persons came at the shop, abused the petitioner no. 1, destroyed his shop and took away Rs. 10,000/- from the counter. He next submits that the petitioner on very next day i.e. on 09.01.2025, gave a written report to the police, which would be evident from Annexure-P/2, but the police lodged the formal First Information Report on 12.01.2025 giving wrong date about the receipt of information on 12.01.2025. There is delay in lodging of



the First Information Report by the side of the informant inasmuch as the occurrence allegedly has taken place on 08.01.2025 in the night, but from perusal of the formal First Information Report lodged by the informant, it would be evident that the informant informed the police about the occurrence on 11.01.2025 and the First Information Report has been registered on 11.01.2025 itself accordingly there is delay of three days on the part of the informant in lodging the First Information Report. Referring to the injury report, learned counsel submits that there is allegation against the petitioners that they assaulted the informant and his brother with knife, which is a sharp cutting weapon, but all the injuries as mentioned in the injury report of the informant and his brother have been shown as lacerated wound and are simple in nature except one injury which is grievous.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are having no criminal antecedents, there is case and counter between the parties, the side of the petitioners has lodged First Information Report against the informant and others and the police have been



informed about the occurrence on 09.01.2025 i.e. prior to the information given by the informant regarding the occurrence which took place against him and the occurrence appears to have been taken place due to dispute regarding the sale of illicit liquor, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town Police Station Case No. 25 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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