

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29704 of 2025

Arising Out of PS. Case No.-492 Year-2024 Thana- KONCH District- Gaya

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Gaurav Kumar S/o Ram Jeevan Paswan R/o Village- Konch, P.S.- Konch,
District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the State : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard learned Senior Counsel for the petitioner and

learned APP representing the State as also learned counsel for

the informant.

2. The petitioner is apprehending his arrest in
connection with Konch P.S. Case No. 492 of 2024 registered for
the offence punishable under Sections 191(2), 190, 126(2),
115(2), 109, 125, 352 and 103 of the B.N.S., lodged on
19.11.2024 by the informant Manish Kumar.

3. As per the prosecution story, earlier the informant
and Kundan had minor scuffle with the accused persons and
later when they are moving and reached the house of Ramjeevan
Paswan, the allegation is that the accused once again assembled
and Deepak Kumar @ Ravi, Gaurav Kumar (petitioner herein),
Om Prakash @ Prakash alongwith other accused person resorted



to brutal assault, both of them were shifted to Konch Government Hospital and then considering the seriousness of the injury suffered by Kundan, he was shifted to higher hospital. This led to the F.I.R. The story moves further and Kundan subsequently succumbed to the injuries.

4. Learned Senior Counsel for the petitioner submits that even going by the F.I.R., omnibus allegation is against all the persons including the petitioner. The death took place a day later, even the F.I.R. has been lodged 24 hours later, in that background, he deserve bail.

5. Learned counsel for the informant on the other hand has taken this Court to paragraph no.3 to show that he petitioner has criminal antecedent beside the other unknown accused and specific allegation are against Deepak Kumar, this petitioner and Om Prakash of resorting to brutal assault.

6. The coordinate Bench had called for the case diary which is on record and the postmortem report also shows that the Kundan died of multiple injuries starting from the skull to the entire body.

7. Considering the submissions of the parties as also the materials on record coupled with the fact that the petitioner has criminal antecedent, no relief can be extended.



8. Accordingly, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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