

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27599 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- Bahera District- Gaya

Gopal Yadav S/o Late Kesar Yadav R/o Vill- Ranichak, P.S.- Bahera, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard Mr. Binod Kumar Sinha, learned counsel for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 83 of 2024 for the offence under Sections 126(2), 115(2), 118(1), 109, 74, 303(2), 352, 351(2) and 3(5) of the B.N.S., lodged on 01.09.2024 by the informant, Prem Kumar.

3. As per the prosecution story, the informant alleged that due to passing of the electric wire, the full brothers resorted to scuffle in which both sustained injuries. This led to the F.I.R.

4. Learned counsel for the petitioner submits that there is case and counter case between the parties, the accused side also suffered injuries, the injuries suffered by his brother/informant has been found to be simple in nature, the petitioner has no criminal antecedent. Last submission is that



without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.10,000/- by Demand Draft to the informant towards treatment issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that allegation of assault is on the head.

6. Considering the submissions of the parties as also that there is a dispute which led to case and counter case, this petitioner has no criminal antecedent, injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- by Demand Draft to the informant issued by the local branch of State Bank of India and the receipt has to be submitted before the Trial Court and after checking credentials to be handed over to the informant.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Sherghati, Gaya, in connection with Bahera P.S. Case No. 83 of 2024 subject to the conditions as laid down under Section



438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

8. From the order sheet, it reflects that the learned Judge who has passed the order dated 12.02.2025, his designation is recorded as Additional District and Sessions Judge-III, Sherghati, Gaya.



9. It is to be noted that now the post has been re-designated and it is known as District and Additional Sessions Judge. It is high time that they correct themselves while passing the order.

10. Let a copy of the order be sent to Principal District and Sessions Judge, Gaya for perusal and needful.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

