

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34348 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- KOCHAS District- Rohtas

Amarnath Gautam @ Amarnath Ray @ Amarnath son of Late Dinesh Rai
Resident of Village -Chawari PS- Kochas District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s	:	Dr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Kochas P.S. Case no. 358 of 2024 registered under sections 109(1), 191(2), 191(3), 190, 126(2), 115(2), 127(2) and 352 of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that while her son was returning from the agricultural field, the eight named accused persons including the petitioner who happens to be her *devar* (brother-in-law) assaulted her son. It is stated that Abhishek Gautam fired upon her son, however luckily he missed. Thereafter it is stated that the petitioner struck her son on the head with an iron rod leading to injuries.



The same was followed by other accused persons brutally assaulting him with *lathi*, *danda* etc.

4. Learned Senior counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From the contents of the F.I.R. itself it would transpire that the petitioner happens to be the *devar* (brother-in-law) of the informant. Referring to the final injury report of son of the informant, it is submitted that besides the injury having been found to be simple in nature, the only injury found is of tenderness in the occipital region and thus the injury report does not support the allegation as levelled in the F.I.R. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the contents of the injury report and the relationship between the parties, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kochas P.S. Case no. 358 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class-cum-Additional Munsif-I, Sasaram, Rohtas.

(Partha Sarthy, J)

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