

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36425 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- ATHMALGOLA District- Patna

Golu kumar singh @ Golu Kumar S/O Bhagat Singh Resident of Village-
Ram Nagar, PS- Athmalgola, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Prasad Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2025 Heard Mr. Niranjan Prasad Singh, learned counsel
for the petitioner and Mr. Uma Shankar Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Athmalgola P.S. Case No. 89 of 2025, F.I.R. dated 09.03.2025 for the offences punishable under Sections 126(2), 115(2), 109(1), 303(2), 74, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner along with other accused persons armed with deadly weapons have assaulted the informant over a previous land dispute.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in



the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. There is case and counter case between the parties. Although there is specific allegation against the petitioner that he has assaulted to the informant by means of pistol butt due to which he has received injury but the injury report of the injured person suggest that the injury is simple in nature. Apart from that it appears from the F.I.R that due to admitted land dispute the present occurrence has taken place. He further submits that the similalry situated co-accused persons, namely, Uma Shankar Singh @ Bhagat Singh @ Bhagat Jee and others have been granted anticipatory bail by this Court vide order dated 21.05.2025 passed in Cr. Misc. No. 33532 of 2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in one case and in another case he has been acquitted by the Court below.

6. Considering the aforesaid facts and circumstances that there is case and counter case between the parties, injury is simple in nature and the co-accused persons have been granted



anticipatory bail by this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Barh in connection with Athmalgola P.S. Case No. 89 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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