

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38965 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- DANIYAWAN District- Patna

1. Bakhori Gope S/o- Late Ramashray Gope @ Ramashay Gope R?o.Village-
Danara PO Ps- Daniyawon Dist- Patna
2. Rahul Kumar S/o- Bakhori Gope Village- Danara PO Ps- Daniyawon Dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Daniyawon P.S. Case No. 10 of 2025, lodged on 13.01.2025, under Section 126(2)/115(2)/118(1)/ 109/ 352 / 351(2)/3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, allegation has been made against petitioner No.1 that he has assaulted by sharp cutting weapon on his face with a view to kill. Allegation against



petitioner No.2 that he has scuffled and throw down the informant.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that informant and petitioner No.1 are full brother and for partition dispute is going on between the family and with false allegation the case has been filed.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the rejection order of the Sessions Court, it becomes crystal clear that at the time of passing final order by the Sessions Court, injury report was before the Court, in this regard doctor has acknowledged the order sheet and found the nature of injury is grievous.

6. Considering the fact that petitioner No.1 Bakhori Gope has attacked on the informant due to which injury caused which is grievous, this Court is not inclined to grant bail to him. Hence, his prayer for anticipatory bail is refused.

7. In the present facts and circumstances of this case, let the petitioner No.2 Rahul Kumar be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as



mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M., Patna City, in connection with Daniyawar P.S. Case No. 10 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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