

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39033 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BARSOI District- Katihar

Suraj Kumar Thakur S/o Balram Thakur R/o vill - Singhia, P.O.- Sitalpur
Bankar, P.S.- Barsoi, O.P. Sudhani, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioner 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 "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Barsoi (O.P. Sudhani) P.S. Case No.34 of 2025 lodged on 02.03.2025, for the offences punishable under Sections 115(2), 126(2), 118(1), 303(2), 352, 351(3) and 3(5) of the BNS, Act, 2023.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioner with allegation that they were trying to make obscene video of the informant's sister when she went for nature's call. Upon



informant opposes, then scuffling took place between both the parties due to which injury has been caused and case and counter-case have been lodged from both sides.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the informant and petitioner are agnates and under unfortunate situation, this dispute has arisen. Counsel further submits that the present situation is that both parties have realised that the dispute should be ended.

5. Counsel submits that the criminal antecedent of the petitioner is clean and parties are likely to settle the dispute outside the Court. With a view to convince this Court, counsel submits that informant is ready to fulfill the bail bonds for the petitioner as matter is settled down.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is allegation against the present petitioner to assault, but he fairly submits that from Annexure-1 and 2 of the bail petition, there is case and counter-case between the parties.

7. From Annexure-2, it transpires that injury as alleged, is simple in nature and parties are resident of same village and basically agnates.



8. In the light of the submissions made and considering young age of the petitioner, let the above named petitioner 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) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Katihar in connection with Barsoi (O.P. Sudhani) P.S. Case No.34 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with the following condition:-

(1) One of the bailor should be informant who shall fulfill the bail bonds of the petitioner, otherwise, his anticipatory bail granted by this Court, shall not be made effective.

(Dr. Anshuman, J.)

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