

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38840 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- BODHGAYA District- Gaya

1. Shyam Singh @ Shyam Kumar S/O Raju Singh R/o village- Katorwa, P.S- Bodh Gaya, Distt- Gaya
2. Shankar Singh S/o Late Lagan Ram R/o village- Katorwa, P.S- Bodh Gaya, Dist- Gaya
3. Arti Devi W/o Shankar Singh R/o village- Katorwa, P.S- Bodh Gaya, Dist- Gaya
4. Sohani Devi W/O Shyam Singh @ Shyam Kumar R/o village- Katorwa, P.S- Bodh Gaya, Dist- Gaya
5. Guriya @ Guriya Devi W/O Sonu Kumar R/o village- Nawagadhi, P.S- Civil Line Gaya, Dist- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad 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 Bodh Gaya P.S. Case No. 194 of 2025, lodged on 15.03.2025, under Sections 191(2)/190/126(2)/115(2)/318(1)/109/303(2)/324(4)/352 of the Bhartiya Nyay



Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 19 named accused persons including the present petitioners with allegation that all accused persons have entered into the house of the informant and they have brutally assaulted the informant and others.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that both the informant and petitioners are the adjacent neighbour and on petty dispute scuffling took place in which injury has been caused. Counsel submits that from bare reading of the FIR it becomes crystal clear that the allegation of injury has been made upon different persons differently. He submits that petitioner Nos.3, 4 and 5 are females and there is general and omnibus allegation against Shankar Singh and Shyam Singh @ Shyam Kumar to assault the daughter of the informant. Counsel submits that the criminal antecedent of the petitioners is clean. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners.



6. In the present facts and circumstances of this case, let the petitioner Nos.3, 4 and 5, above named, 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 Chief Judicial Magistrate, Gaya, in connection with Bodh Gaya P.S. Case No. 194 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as petitioner Nos.1 and 2 are concerned, considering the nature of allegation against petitioner Nos.1 and 2, this Court is not inclined to grant anticipatory bail to them. Hence, the prayer for anticipatory bail application of petitioner Nos.1 and 2 is hereby rejected.

(Dr. Anshuman, J)

Mkr./-

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

