

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41705 of 2025

Arising Out of PS. Case No.-709 Year-2023 Thana- GAURICHAK District- Patna

Golden Das Son of Late Nand Lal Das R/o Mohalla - Das Mohalla, Ward
No.- 3, P.S.- Nabinagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Gaurichak P.S. Case No. 709 of 2023, instituted for the offences
punishable under Sections 147, 148, 149, 188, 307, 323, 324,
325, 332, 333, 337, 338, 353, 427, 504 and 506 of the Indian
Penal Code.

3. The prosecution case, in short, is that, upon
instigation of the petitioner, other co-accused persons created
hindrance and assaulted many police officials due to which eight
police personnel sustained injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. No specific allegation of assault has been levelled against the petitioner. Name of the petitioner has transpired in this case as being leader of the mob and on his instigation the brick batting was done. The petitioner is in custody since 02.01.2025 and has got twenty-one criminal antecedents in which he is on bail in twenty cases. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 32927 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation levelled against the petitioner of instigating the mob against the petitioner and the petitioner was also leading the mob due to which the brick batting was done and some police personnel also sustained injuries. It is further submitted that the petitioner has got twenty-one criminal antecedents. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, criminal antecedents, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of four months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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