

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41731 of 2025

Arising Out of PS. Case No.-152 Year-2019 Thana- GHORASAHAN District- East
Champaran

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1. PAPPU KUMAR Son of Prabhu Sah Resident of village - Gurniya, P.S.- Ghorasahan, District - East Champaran.
 2. Rakesh Sah @ Rakesh Kumar Son of Prabhu Sah Resident of village - Gurniya, P.S.- Ghorasahan, District - East Champaran.
 3. Mukesh Kumar @ Mukesh Kumar Sah Son of Prabhu Sah Resident of village - Gurniya, P.S.- Ghorasahan, District - East Champaran.
 4. Chandan Kumar @ Chandan Sah Son of Prabhu Sah Resident of village - Gurniya, P.S.- Ghorasahan, District - East Champaran.
 5. Sanoj Kumar @ Saroj Kumar Son of Ramadhar Sah Resident of village - Gurniya, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-07-2025 Heard the parties

2. The petitioners are apprehending their arrest in connection with Ghorasahan P.S. Case No. 152 of 2019 for the offence punishable under Sections 341, 323, 324, 325, 379, 307 and 504/34 of the Indian Penal Code, lodged on 04.05.2019 by the informant Chandrashekhar Shah.

3. As per the prosecution story, the informant alleged that, while moving, petitioner no. 1, namely Pappu Kumar abused. On protest, he called his family members, thereafter, all



of them resorted to assault. The allegation is that all the petitioners named here armed with *lathi*, rod and *kulhari* assaulted both the informant and his father causing injuries. The uncle/cousin brother were also not spared and allegation of assault is on other accused persons/petitioners. The further allegation is that the amount that was kept for marriage of the sister (Rs. 30,000/-) was taken away by them. This led to the F.I.R.

4. Learned counsel for the petitioners submits that there is a delay of three days in lodging of the F.I.R. They earlier withdrew the petition before the learned Sessions Judge in the year 2022 being confident that police will submit final form. As cognizance was taken, the second petition preferred which came to be rejected.

5. Learned APP on the other hand has taken this Court to the F.I.R. to show that six years later, anticipatory bail has been filed despite the fact that specific allegation are there against the accused/petitioners.

6. Taking into account the aforesaid facts, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners. Accordingly, the same is rejected.

7. The petitioners if so want, can surrender within a



period of four weeks from today and bring on record all the relevant documents including the compromise petition if any which shall be taken into consideration at the time of hearing the bail petition.

(Rajiv Roy, J)

Ankit Kumar/-

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