

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43583 of 2025

Arising Out of PS. Case No.-541 Year-2024 Thana- KONCH District- Gaya

1. Gourishankar Yadav @ Gouri Shankar Kumar @ Gaurishankar Yadav S/o- Rabindra Yadav, resident of Village - Makhdumpur, P.S.- Konch, District - Gaya
2. Bhim Yadav @ Bhim Kumar S/o- Rabindra Yadav, resident of Village - Makhdumpur, P.S.- Konch, District - Gaya
3. Nabin Yadav @ Navin Kumar S/o- Rabindra Yadav, resident of Village - Makhdumpur, P.S.- Konch, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Konch P.S. Case No. 541 of 2024 dated 26.12.2024 instituted for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 303(2), 352, 351(2), 351(3) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged date of occurrence, some villagers including the petitioners were abusing and assaulting the informant' father Ramdeep Yadav. When the informant went there to save his father, all the accused



persons armed with pistol, iron rod, gadasa etc. were standing there. It is alleged that petitioner no. 1 & 3 assaulted the informant by means of *Gadasa* and butt of pistol, due to which the informant sustained injuries. Petitioner no. 1 also fired from his pistol but it did not hit.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the present case is counter blast of Konch P.S. Case No. 525 of 2024 lodged by father of the petitioners, namely, Rabindra Yadav on 17.12.2024, i.e. on the same day of occurrence, while the present case has been lodged on 26.12.2024 i.e. after 9 days of the occurrence. In this incident, petitioner no. 2, namely, Bhim Yadav also sustained injury. Learned counsel for the petitioners further submits that the allegation against the petitioners is general and omnibus. There is no specific allegation against the petitioners. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Konch P.S. Case No. 541 of



2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned judicial Magistrate 1st Class, Gaya subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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