

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45081 of 2025

Arising Out of PS. Case No.-531 Year-2024 Thana- KHUSRUPUR District- Patna

1. Ajay Gope
2. Sanjay Gope
Both Sons of Mahendra Gope.
Both Resident of Village- Baikathpur, Rajendra Tole, Police Station-
Khusrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Informant : Mr.Sanjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-07-2025 Heard Mr.Ashok Kumar, learned counsel for the

petitioners and Mr.Bhanu Pratap Singh, learned Additional

Public Prosecutor for the State. Mr.Sanjay Kumar Pandey,

learned counsel submits that he has filed the vakalatnama on

behalf of the informant today itself.

2. The petitioners are apprehending their arrest in
connection with Khusrupur P.S.Case No.531 of 2024, FIR
dated 21.11.2024 registered for the offences punishable under
Sections 191(2),190,126(2),115(2),352,351(2),109 of B.N.S.,
2023.

3. Allegation against the petitioners is that they
alongwith other co-accused persons came at the house of the



informant and started argument, abuse and brutally assaulted on the sons of informant namely, Vikky Yadav, Surendra Yadav, Satyendra Yadav, Raju Yadav and Nitish Kumar with lathi, brick, rod and with the butt of the country made pistol due to domestic land dispute. They fired two times from country made pistol and threatened them to leave the land and also threatened that who will claim the land they will kill them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR the due to admitted land dispute the present occurrence had taken place. The present case is counter blast of Khusrupur P.S.Case No.530 of 2024 filed on behalf of the petitioners' side against the informant and his family members. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioners and



submits that it appears from the FIR that all the accused persons including the petitioners have assaulted the family members of the informant.

6. Considering the aforesaid facts, petitioners have clean antecedent and there is no specific allegation of any assault or overt-act attributed against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Patnacity, Patna in connection with Khusrupur P.S.Case No.531 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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