

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45562 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- GOGRI District- Khagaria

1. Santosh Kumar Son of Ramchandra Chaurasia Resident of Village - Dukha Tola, P.S.- Gogri, District - Khagaria.
2. Sujeet Kumar @ Modin Khan Son of Late Balmiki Chaurasia Resident of Village - Dukha Tola, P.S.- Gogri, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Gogri P.S. Case No. 8 of 2025 dated 15.01.2025, registered for the offence punishable under Sections 126(2), 308(2), 109, 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of Arms Act.

3. The prosecution case, in short, is that on the alleged date of occurrence at 6 p.m. the petitioners having fire arms in their hands came at the house of the informant and by firing they created fear and started abusing him and when he came out of his house then petitioner no. 2 fired upon him which passed



by the side of his ear and petitioner no. 1 fired in the air and said him to stop otherwise he will fire on his head and thereafter, he assaulted him and petitioner no. 2 demanded *rangadari* of Rs. 2 lakhs and threatened to kidnap and kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that the F.I.R. has been lodged after 5 days of the occurrence and there is case and counter case between the parties for the same offence. It is further submitted that no person has received any injury in the said occurrence. Lastly, it has been submitted that petitioner no. 1 has two criminal cases against him and petitioner no. 2 has one criminal case against him.

5. On the other hand, learned A.P.P. for the State as well as learned counsel for the informant has opposed the prayer for 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 Gogri P.S. Case No. 8 of 2025, they shall be released on anticipatory 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 C.J.M., Khagaria, subject to condition as laid down under Section 482(2) of B.N.S.S. as also to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or their wife.

3. The bailor shall also state on affidavit that he/she will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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