

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46949 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Golu Kumar S/o Shiv Kumar Sah @ Arvind Patel, Resident of Village-
Dumari, Post- Khabra, P.S.- Sadar, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2025 Heard learned Advocate for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest in connection
with Sadar P.S. Case No.294 of 2024 registered for the offences
punishable under Sections 147, 149, 341, 323, 307, 353, 354,
427 and 504 of the Indian Penal Code.

3. Allegedly, while the lady constables were on night
duty, in the meanwhile, the FIR named accused persons,
including the petitioner along with others, who were creating
nuisance in a drunken state started eve teasing the lady
constables. It is further alleged that the co-accused persons also
attacked the informant with *lathi*, *danda* and caused injury over
his head and damaged the vehicle and broke its front glass.



4. Learned Advocate for the petitioner taking this Court through the FIR has contended that in the accused column of the FIR, the name of one Golu Kumar, S/o Shiv Kumar Sah has been written; however, the petitioner being Golu Kumar, S/o Arvind Patel has later on being chased by the police, thus there was a need of approaching this Court for grant of anticipatory bail. Further submission has been made that the learned jurisdictional court on being found no *prima facie* injury has not taken cognizance under Section 307 of the Indian Penal Code; nonetheless, the cognizance has been taken only under Sections 147, 149, 341, 323, 353, 354, 427 and 504 of the Indian Penal Code. The petitioner is a man of fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that from the place of occurrence, the motorcycle of the petitioner was recovered and only on account of some discrepancy in the name of father, his complicity cannot be ruled out. The petitioner along with other not only created nuisance but also caused obstruction in discharge of public duty.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and considering the fact that none has sustained any serious injury, coupled with



the fact that the petitioner is a man of fair antecedent, besides there is some contradiction in the identity of the petitioner because of his father's name, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur (E) in connection with Sadar P.S. Case No.294 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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