

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46425 of 2025

Arising Out of PS. Case No.-261 Year-2023 Thana- DELHA District- Gaya

1. Abhay Kumar S/O Late Uday Singh Resident of Village- Chhotki Nawada, Police Station- Delha, District- Gaya.
2. Roushan Kumar S/O Mrityunjay Kumar R/O Village- Bembal Pali, P.S- Kako, Distt.- Jehanabad. At present R/O Village- Chhotki Nawada, P.S- Delha, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Delha P.S. Case No. 261 of 2023 for the offence under Sections 341, 323, 324, 379, 354, 504 and 34 of the I.P.C.

3. As per the prosecution story, the informant has alleged that on 25.10.2023 at about 07:00 PM, all the F.I.R. named accused person came to her house and brutally assaulted her both sons. It is further alleged that they have snatched golden chain from her neck and also tried to outrage her modesty.



4. Learned counsel for the petitioners submits that the petitioners have committed no offence and have falsely been implicated in this case due to ulterior motive. No case is made out under Section 379 and 354 of the Indian Penal Code against the petitioners whereas other sections are bailable. Petitioner no. 1 namely Abhay Kumar is dealing in groceries at Balajee Nagar and informant and her husband always took grocery items and cause dues to the petitioner no. 1 and on demand of dues money, the instant case has been falsely lodged. Petitioner has got no criminal antecedent.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioners submits that the instant F.I.R. has been lodged after delay of two days and reason for the same is not explained. Keeping in view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Gaya, in connection with Delha P.S. Case No.



261 of 2023 subject to the conditions as laid down under
Section 482 of B.N.S.S., as also with the following conditions:-

(i) One of the bailors should be close relative of
the petitioners.

(ii) if the petitioners tamper with the evidence or
threaten the witness, in that case, the prosecution will be at
liberty to move for cancellation of bail.

(iii) In case, the petitioners repeat offence of similar
nature after enlargement on bail, their bail bonds may be
cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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