

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47283 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- BUXAR INDUSTRIAL District- Buxar

1. Gilu Turha S/o Late Sukuth Turha @ Sukath Turha Resident of Village- Barkagaon, Mansingh Patti, P.S.- Buxar (Ind), District- Buxar
2. Aman Turha S/o Gilu Turha Resident of village- Barkagaon, Mansingh Patti, P.S.- Buxar (Ind), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners submits that petitioner no. 2, namely Aman Turha, has already been arrested. Therefore, he is not pressing the bail application of petitioner no. 2 and is only pressing the bail application of petitioner no. 1 namely, Gilu Turha.

3. The petitioner no.1 is apprehending arrest in connection with Buxar (Industrial) P.S. Case No. 80 of 2025 lodged on 02.04.2025, for the offence punishable under Sections 329(3), 126(2), 115(2), 109(1), 303(2), 352, 351(3), 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.



4. As per the prosecution, FIR has been lodged against three named accused persons including the petitioner no.1 and two unknown persons against whom there is an allegation that they have assaulted the informant and looted Rs.27,000/-.

5. Learned counsel for the petitioner no.1 submits that the petitioner is innocent and has committed no offence. Counsel submits that from the contents of FIR, it become crystal clear that both informant and petitioner are resident of same village. Counsel submits that the allegation against petitioner no.1 is that he has threatened the informant on gun point, but Arms Act has not been added in this case and threatening is basically a bailable offence. Counsel submits that the allegation of loot amounting to Rs. 27,000/- is absolutely false and not correct. Counsel submits that the petitioner no.1 has one criminal antecedent in which he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioner no.1 and submits that the specific allegation is against accused namely, Aman Turha who has been arrested and against petitioner no.1, allegation is of only threatening.

7. As such, in the present facts and circumstances of this case, let the petitioner no.1 namely, Gilu Turha be released



on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Chief Judicial Magistrate, Buxar, in connection with Buxar (Industrial) P.S. Case No. 80 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

8. Accordingly, this bail application is hereby disposed off.

(Dr. Anshuman, J)

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