

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50854 of 2025

Arising Out of PS. Case No.-310 Year-2024 Thana- GOPALPUR District- Gopalganj

1. Shambhu Singh @ Shambhu Kumar Singh S/O Lalbabu Singh Kushwaha @ Lalbabu Singh Village- Barhara, PS- Gopalgpur, Distt- Gopalganj
2. Sonu Kumar @ Sonu Kumar Singh S/O Lalbabu Singh Kushwaha @ Lalbabu Singh Village- Barhara, PS- Gopalgpur, Distt- Gopalganj
3. Ravi Kumar S/O Ghanshyam Singh @ Ghanshyam Bhagat Village- Barhara, PS- Gopalgpur, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Gopalpur P.S. Case No. 310 of 2024, dated 18.12.2024, lodged under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 121(1) and 132 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against 87 named and 50–60 unknown accused persons, including the present petitioner, alleging that they, being duly armed, tried to interrupt government work, misbehaved with the police, abused them, and threatened to kill them.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the only allegations in the FIR pertain to threatening and abusing. It is also submitted that one of the petitioners is a student and used to reside outside the village, and the petitioner No. 3 has no involvement in the said occurrence as he also used to reside outside the village. Counsel further submits that, with regard to the alleged brutality shown by the police against the villagers, a letter has been submitted to the Chief Secretary concerning the present case, requesting the appointment of a SIT and take action against the police officials. Furthermore, counsel submits that the criminal antecedents of petitioners No. 1 and 3 are clean, whereas petitioner No. 2 has a criminal case pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are allegations of misbehavior, abuse, and attempt to threaten life made by the co-villagers.

6. As such, in the present facts and circumstances of this case, let the petitioner No. 1, namely, Shambhu Singh @ Shambhu Kumar Singh and the petitioner No. 3, namely, Ravi Kumar 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 BNSS, 2023 to the satisfaction of Judicial Magistrate, 1st Class, Gopalganj, in connection with Gopalpur P.S. Case No. 310 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail application of the petitioner No. 2, namely, Sonu Kumar @ Sonu Kumar Singh is concerned, his bail application is hereby rejected, with a liberty that in case, the petitioner No. 2 surrenders within six weeks before the Trial Court, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner No. 2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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