

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50167 of 2025

Arising Out of PS. Case No.-602 Year-2024 Thana- GHOSI District- Jehanabad

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1. Lal Babu Yadav S/o Late Ramruch Yadav R/o vill- Sujatpur, Ps - Ghoshi, District- Jehanabad
 2. Gita Devi W/o Lal Babu Yadav R/o vill- Sujatpur, Ps - Ghoshi, District- Jehanabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satyaveer Jha, Adv.
For the State : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Ghoshi P.S. Case No. 602 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 352, 351(2), 351(3) of BNS and Section 27 of the Arms Act.

3. As per prosecution case, petitioners and other variously armed with weapons came at the door of informant and started abusing and when same was protested, petitioner no. 1 pointed country made pistol upon the informant. It is further alleged that co-accused Uma Kant Kumar @ Chhote Yadav fired upon the informant from country made rifle but anyhow



informant saved himself.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. He further submits that there is no specific allegation of firing against any of the petitioners rather specific allegation of firing is against co-accused Uma Kant Kumar @ Chhote Yadav. He further submits that from perusal of the FIR itself, it is evident that no one has sustained firearm injury in the alleged occurrence. Petitioners and informant are neighbour and due to petty dispute, false case has been lodged against the petitioners. In the light of aforesaid facts and circumstances of the case, no offence, as alleged in the FIR, is made out against the petitioners,

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners and other variously armed with weapons came at the door of informant and started abusing and when same was protested, petitioner no. 1 pointed country made pistol upon the informant and hence, petitioners do not deserve anticipatory bail.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of the petitioners, there is no specific allegation of firing against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghoshi P.S. Case No. 602 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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