

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52893 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- GOGRI District- Khagaria

1. Neelesh Kumar @ Golu Kumar @ Neelesh Yadav S/o Madan Yadav Resident of Vill- Pitunjhiya, P.S.- Gogari, District- Khagaria
2. Pinkesh Kumar @ Pinkesh Yadav S/o Madan Yadav Resident of Vill- Pitunjhiya, P.S.- Gogari, District- Khagaria
3. Madan Yadav S/o Late Siyaram Yadav Resident of Vill- Pitunjhiya, P.S.- Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Santosh Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Shahabuddin Azeem @ S. Azeem, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Gogari P.S. Case No. 110 of 2025 registered under Sections 126(2), 115(2), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the accused persons including the petitioners forcibly snatched a sum of Rs. Rs. 40,000/- from the informant and assaulted him.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have been made accused in false case and no such incidence has taken place. To take revenge and put pressure on the petitioners and their family members the present FIR has been lodged as the brother of the informant earlier has lodged Gogari P.S. Case No. 30 of 2025 against the present petitioners. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that the allegations made against the petitioners are *prima facie* not supported by any evidence to show that the petitioners had snatched a sum of Rs.40,000/- from the informant.

7. In above view of the matter, the petitioners have made out a case to be released on anticipatory bail

8. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogari P.S. Case No. 110 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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