

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50806 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- DHANKUND District- Banka

Gulshan Yadav @ Shiv Shankar Kumar S/o Late Bouni Yadav R/o Vill-
Kathara, P.S.- Dhankund, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Singh, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences under Sections 191(2), 190, 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2) of B.N.S. and subsequently Section 103(1) of B.N.S. was added.

3. As per the prosecution case, the informant has alleged that two co-accused persons including Santosh Yadav had threatened the informant and others that they would be eliminated and on 30.08.2024, all the FIR named accused persons including the petitioners, came to the house of the informant armed with deadly weapons and it is alleged that the co-accused Ajay Yadav assaulted the informant's husband by means of iron rod and subsequently on the order of Fantush



Yadav, Jairam Yadav and others assaulted him and her husband felt unconscious. It has further been alleged that when the informant and her brother-in-law tried to intervene the other accused persons, namely, Gulsan Yadav (petitioner), Sunil Yadav, Fantush Yadav and Vadri Yadav by means of lathi, had assaulted the informant and snatched away her silver jewellery and other documents.

4. The learned counsel for the petitioner submit that petitioner is innocent and has falsely been implicated in this case along with the entire family members. The learned counsel further submits that there is no specific allegation of assault upon the petitioner and the allegations are general and omnibus in nature. It has further been submitted that no injury report of the informant or her brother-in-law was brought on record which falsifies the allegations levelled against the petitioner. It has further been pointed out that from perusal of the postmortem report, it would be evident that the allegations of indiscriminate assault made on the husband of the informant (deceased) is also not proved as no such external ante mortem injuries were found on the body of the deceased. Learned counsel next submits that similarly situated accused persons namely Jariam Yadav and Fantush Yadav have been granted anticipatory bail by this Court



vide order dated 20.06.2025 passed in Cr. Misc. No. 23270/2025. It has lastly been submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III at Banka in connection with Dhankund P.S. Case No. 88/2024 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S.

7. This application stands disposed of.

(Sourendra Pandey, J)

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