

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52913 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- GOGRI District- Khagaria

1. Gautam Kumar S/o Manoj Paswan @ Sanjay Paswan Resident of Village- Jamalpur, Paswan Tola, P.S.- Gogri, District-Khagaria
2. Sajan Kumar S/o Manoj Paswan @ Sanjay Paswan Resident of Village- Jamalpur, Paswan Tola, P.S.- Gogri, District-Khagaria
3. Pritam Kumar @ Golu @ Golu Kumar S/o Manoj Paswan @ Sanjay Paswan Resident of Village- Jamalpur, Paswan Tola, P.S.- Gogri, District-Khagaria
4. Raja Kumar S/o Manoj Paswan @ Sanjay Paswan Resident of Village- Jamalpur, Paswan Tola, P.S.- Gogri, District-Khagaria
5. Harsh Kumar @ Harshit Kumar S/o Late Harku Paswan Resident of Village- Jamalpur, Paswan Tola, P.S.- Gogri, 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. Harendra Prasad, 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. Harendra Prasad,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Gogari P.S. Case No. 44 of 2025 registered for the offence
punishable under Sections 126(2), 115(2), 118(1), 109, 303(2),
352 and 3(5) of the BNS.

3. As per the allegation made in the F.I.R., all the
accused persons including the petitioners with a common



intention to kill assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. There is case and counter case between the parties. The allegation levelled against the petitioners is not specific rather general and omnibus. The petitioners in their self defence might have caused some injury to the informant's side without any intention. The injury sustained by the victim is simple in nature.

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

6. Considering the nature of allegation made against the petitioners to be not specific rather general and omnibus and the fact that the petitioners in their self defence might have caused some injury to the informant's side without any intention and the injury sustained by the victim is simple in nature, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below 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 CJM, Khagaria in connection with Gogari P.S. Case No.



44 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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