

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58003 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Sunil Gupta @ Sunil Kumar Gupta Son of Late Ramdhyan Gupta Resident of Village -Gaur Bujurg PS -G.B. Nagar District- Siwan
 2. Rajesh Sah @ Rajesh Gupta @ Rajeshwar Gupta son of Late Mukhi Sah Resident of Village -Gaur Bujurg PS -G.B. Nagar District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 191(2), 126(2), 118, 109, 303(2), 352, 351(2), 115(2) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., petitioner no. 1 assaulted wife of the informant, namely, Maya Devi with *farsa* and petitioner no. 2 assaulted informant by means of sword.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have committed no offence. Case and counter case. Injury, allegedly, caused by petitioner no. 2 is simple in nature. F.I.R. has been lodged after



inordinate delay of three days which itself raises doubt over veracity of the prosecution case.

5. Learned counsel for the State vehemently opposed the bail application and submitted that injury caused by petitioner no. 1 is grievous in nature.

6. In view of the fact that petitioner No. 1 caused grievous injury, **prayer for anticipatory bail of petitioner No. 1 is refused.**

7. However, considering the fact that petitioner No. 2 caused simple injury, the **anticipatory bail with regard to petitioner No. 2 is allowed** and it is ordered that the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P. S. Case No. 109 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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