

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58511 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Bhawanipur District- Bhagalpur

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Gultan Kumar @ Gulshan Kumar Son of Babulal Kumar Resident of Village -
Bhramarpur, P.S. - Bhawanipur, District -Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-11-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 329(3),
115(2), 303(2) and 109/34 of the BNS as well as Section 27 of
the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases. It is further submitted
that in one case, the petitioner was convicted but thereafter was
released on bail by this Court. It is next submitted that informant
alleges that on 16.01.2025, at 03:00 p.m., petitioner and Rajeev
Kumar came to his house, fired and also assaulted him by lathi
causing injury and thereafter snatched his chain and demanded
extortion of Rs.5 lakhs and threatened that if the amount is not



paid within three days in that event the informant and his family members will have to vacate the house.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case on account of his antecedent. It is further submitted that petitioner and the informant are co-villagers and it does not appear probable that petitioner would have demanded extortion from the informant. It is next submitted that though there is allegation of firing but then no empty cartridge was recovered from the place of occurrence. It is also submitted that allegation of assault is also not specific and the injury suffered on the ankle has been opined to be simple in nature. It is further submitted that even the injury is not on the vital part of the body. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his 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.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bhawanipur P.S. Case No. 12 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Babulal Kumar.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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