

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72022 of 2024

Arising Out of PS. Case No.-464 Year-2024 Thana- BARH District- Patna

1. Gopal Prasad @ Gopal Krishan Prasad, S/o- Subhash Yadav, Village- Hasan-
chak, P.S.- Barh, Dist- Patna
2. Manish Kumar @ Nitish Kumar, Son of Awadhesh Yadav @ Awadhesh
Prasad, Village- Hasanchak, P.S.- Barh, Dist- Patna
3. Sugriv Kumar @ Shubham Kumar Yadav, Son of Murari Prasad, Village-
Hasanchak, P.S.- Barh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 22-01-2025 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. The petitioners apprehend their arrest in connection
with Barh P.S. Case No. 464 of 2024, registered for the offences
punishable under Sections 126(2), 352, 351(3), 109, 3(5) of the
Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The allegation against the petitioners is of making
firing over the informant.

4. Learned Advocate appearing on behalf of the
petitioners contended that in fact, on account of a dispute, both



the parties have entered into an altercation, resulting into lodging of the case and counter case, being Barh P.S. Case No. 465 of 2024, instituted against the informant and others. Drawing the attention of this Court to the FIR it is further contended that in fact, none has sustained any injury and apart from the allegation of firing, there is no material which suggest that in such occurrence any harm has taken place either to person or the property. The petitioner no. 1 bears fair antecedent whereas petitioner no. 2 and 3 bear one criminal antecedent each. The petitioners undertake before this Court that they will not indulge in such incidence in future and cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits the specific allegation of firing has been levelled.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case, coupled with the fact no injury has sustained to any person and the undertaking as noted hereinabove, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Chief Judicial Magistrate-1st, Barh, Patna in connection with Barh P.S. Case No. 464 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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