

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69835 of 2025

Arising Out of PS. Case No.-457 Year-2025 Thana- GAYA MUFASIL District- Gaya

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1. Saurabh Kumar @ Saurabh Sharma S/O Madan Mohan Sharma R/O Moh.- S.S. Colony, P.S- Muffasil, Distt.- Gaya.
 2. Pankaj Kumar @ Shashi @ Shahi S/O Bharat Bhushan Singh R/O Village- Uchauli, P.S- Khizarsarai, Distt.- Gaya.
 3. Chandan Kumar @ Chandan Sharma S/O Parmeshwar Singh R/O Moh.- Police Colony, P.O- Anisabad, P.S- Gardanibagh, Distt.- Patna.
 4. Manoj Kumar @ Manoj Singh S/O Surendra Sharma R/O Village and P.O- Bhor, P.S- Tekari, Distt.- Gaya.
 5. Bhola Singh @ Sudhir Kumar S/O Baludan Sharma R/O Kali Bari New Colony, P.S- Civil Line, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 01-11-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 190,



191(2), 191(3), 109, 125, 122(1), 122(2), 113(3) and 111(4) of the BNS, 2023 read with Sections 25(9) and 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that he received an information that indiscriminate firing is being resorted to in between two groups to take possession of the land situated at S.S. Colony, *Bakri Farm*, accordingly the informant along with the police force reached the place of occurrence when accused persons fled and four empty cartridges were recovered from the place of occurrence, further the informant from the spy came to know about the involvement of the petitioners in the occurrence.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye witness to the occurrence rather the name of the petitioners transpired based on an information provided by the spy. It is also submitted that it is very easy to implicate someone based on secret information. It is next submitted that for the same occurrence, Meena Devi instituted Mufassil P.s. Case No. 458 of 2025 under various sections of



BNS read with Arms Act and SC/ST Act against the petitioners and others. It is further submitted that Meena Devi also taking cue from the instant FIR instituted the second FIR. It is further submitted that petitioners in Muffasil P.S. Case No. 458 of 2025 have been granted the privilege of bail on surrender. It is next submitted that though there is allegation that indiscriminate firing was resorted to, but then no one was injured. It is further submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Mufassil P.S. Case No. 457 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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