

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77644 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- GHOGHARDIHA District- Madhubani

1. Hajari Singh S/O Late Mishri Lal Singh R/o village - Gulariya Tol , P.S.- Ghoghardiha , District - Madhubani
2. Hari Shankar Kumar Singh @ Hari Shankar Singh S/O Hajari Singh R/o village - Gulariya Tol , P.S.- Ghoghardiha , District - Madhubani
3. Suchita Kumari @ Sujita Kumari D/O Hajari Singh R/o village - Gulariya Tol , P.S.- Ghoghardiha , District - Madhubani
4. Lalku Singh S/O Late Lakhon Singh R/o village - Gulariya Tol , P.S.- Ghoghardiha , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate
For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. After some arguments, learned counsel for the petitioners prays for withdrawal of the anticipatory bail application on behalf of petitioner no.2 Hari Shankar Kumar Singh @ Hari Shankar Singh.

3. Permission is granted.

4. The application is dismissed as withdrawn with respect to petitioner no.2 only. However, liberty is granted that if the petitioner no.2 surrenders and seeks regular bail within a period of three weeks before the learned Court below, the same



shall be considered on its own merit without being prejudiced by the present order of withdrawal.

5. The petition now survives on behalf of petitioner nos.1, 3 and 4 only.

6. The petitioners apprehend their arrest in connection with Goghardiha P.S. Case no.79 of 2025 registered under sections 126(2), 115(2), 118(1), 110, 117(2), 303(2), 352, 351(2) and 3(5) of the B.N.S.

7. The allegations in the F.I.R. is that as many as nine persons including the petitioners herein came variously armed and on the order of accused Hajari Singh and co-accused Ravindra Singh, accused Hari Shankar Singh assaulted the informant by means of iron rod due to which he received severe injuries.

8. Learned counsel for the petitioners submits that it would be apparent from the F.I.R. that thrust of the allegation is upon co-accused Hari Shankar Singh of having assaulted on the the informant by means of iron rod causing grievous injuries to him. So far as petitioner nos.1, 3 and 4 are concerned, no specific allegation of overt act has been alleged against them. It has further been submitted that there is delay of seven days in lodging of the F.I.R., for which no explanation has been



tendered. There is case and counter case, filed by the petitioner no.1, which is Annexure-2 to the present petition. The petitioners have no criminal antecedent and undertake to cooperate in the case/trial.

9. The application for anticipatory bail is opposed by learned A.P.P. for the State.

10. In view of the entire facts and circumstances of the case and considering that there is delay in lodging of the F.I.R coupled with the fact that specific allegation of assaulting the informant is attributable to accused Hari Shankar Singh whose anticipatory bail application has already been withdrawn, it is directed that the petitioner nos.1, 3 and 4 above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Goghardiha P.S. Case no.79 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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