

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78184 of 2024

Arising Out of PS. Case No.-525 Year-2024 Thana- SONEPUR District- Saran

Golu Kumar @ Shivank Kumar S/o Pawan Gupta @ Pawan Prasad Gupta R/o
- Barbeta Bazar, P.O. and P.S.- Sonepur, Distt.- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 84685 of 2024

Arising Out of PS. Case No.-525 Year-2024 Thana- SONEPUR District- Saran

1. Pawan Kumar @ Pawan Gupta S/o Late Ramprit Sah R/o Village- Barbatta Bazar, PS- Sonepur, District- Saran
2. Sumit Kumar S/o Pawan Kumar @ Pawan Gupta R/o Village- Barbatta Bazar, PS- Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 78184 of 2024)

For the Petitioner/s : Mr. Kumar Prabhakar, Advocate

For the State : Mr. Shailendra Kumar, APP

For the Informant : Mr. Jyoti Shankar, Advocate

(In CRIMINAL MISCELLANEOUS No. 84685 of 2024)

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 Since both the petitions arise out of Sonepur P.S. Case

No. 525 of 2024, as such, they have been taken up together and

are being disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned A.P.P. for the State as well as learned counsel for the

informant.



3. In this case, the petitioners are apprehending their arrest in connection with Sonepur P.S. Case No. 525 of 2024, registered for the offences under Sections 341, 323, 324, 452, 379, 354, 307 and 34 of the Indian Penal Code.

4. As per prosecution case, petitioners and other co-accused persons, making an unlawful assembly, attacked the house of the informant. Co-accused Tej Bahadur Gupta hit the informant on his head with an iron rod causing its fracture. Other co-accused persons misbehaved with mother and wife of the informant and also took away ear-rings and payal from the house of the informant. The children of the house of the informant were also assaulted and the son of the informant received serious injuries. Other co-accused started throwing the household articles of the informant and threatening to set the house on fire.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR, it is apparent that there is no specific allegation against the petitioner for any wrongful act. There is dispute over ancestral joint property and both sides have lodged cases against each other. Prior to registration of the present case, petitioners' side has lodged Sonepur P.S. Case No. 524 of 2024



against the informant and others. Thus, the learned counsel submits that there is no serious allegation against the petitioners and whatever allegations have been levelled, are completely false and concocted. The petitioners are having clean antecedent.

6. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioners were the members of unlawful assembly which brutally assaulted the son of the informant and serious injuries have been caused to him.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation of any wrongful act against the petitioners and further considering the clean antecedent of the petitioners coupled with possibility of false implication and, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chhapra/court



concerned in connection with Sonapur P.S. Case No. 525 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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