

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82288 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SALAKHUA District- Saharsa

Gaurab Kumar, S/o Lakhan Yadav, R/o Village-Gaushpur, P.S.- Salkhua,
Distt- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akshansh Shanker, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel for the informant.

2. The accused/petitioner seeks bail in connection

with Salkhua P.S. Case No.216 of 2024 registered under

Sections 126(2), 191(2)(3), 190, 115(2), 118(1), 303(2),

103(1), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 (in

short ‘B.N.S.’) and Section 27 of the Arms Act.

3. The accused/petitioner is named in the FIR and

is in custody since 25.09.2024.

4. As per FIR, the allegation against petitioner is to

assault the sister of informant with iron rod.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that occurrence took place out of financial disputes, which is apparent from the FIR itself. It is also submitted by learned counsel that C.C.T.V. footage of the occurrence as gathered during the course of investigation, no where suggest that this petitioner was present even at the place of occurrence. It is pointed out that no injury report in this regard is available on record, as same was not collected during the course of investigation, making the allegation *prima facie* false on its face. It is submitted that the allegation of firing is available specifically against co-accused Ajit Kumar, which proved fatal in terms of postmortem report. Petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP duly assisted by learned counsel appearing for informant vehemently opposed the prayer of bail.

7. In view of aforesaid facts and circumstances, as allegation of fatal firing is not available against this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since



25.09.2024, accordingly, the petitioner, above-named is directed to be released on bail 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 Judicial Magistrate-1st Class, Saharsa in connection with Salkhua P.S. Case No.216 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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