

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83033 of 2025

Arising Out of PS. Case No.-510 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Govind Kumar @ Govind Kumar Gupta S/O Shri Kanhaiya Sah @ Kanhaiya Lal Gupta R/M- Sukulwa Khurd, P.S.- Gopalganj, Distt-Gopalganj.
 2. Gulsan Kumar @ Ajit Kumar S/O Shri Kanhaiya Sah @ Kanhaiya Lal Gupta R/M- Sukulwa Khurd, P.S.- Gopalganj, Distt-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shrishti Rani, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-12-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Gopalganj P.S. Case No.510 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109 and 117(2) of the BNS, 2023.

3. While the informant along with other family members went for paddy plantation, in the meanwhile, the petitioners along with other co-accused persons variously armed came there and brutally assaulted the informant and others. It is specifically alleged that when the elder father of the informant came at the place of occurrence, co-accused Haq Mohammad



and Shamsuddin Mia brutally assaulted him by means of *farsa* due to which he fell down, whereupon these petitioners also assaulted him and later on other accused persons assaulted him by means of deadly weapons due to which he sustained a serious injury over his head. There is further allegation against other accused persons of causing assault to the informant and others.

4. Learned Advocate for the petitioners taking this court through the FIR has contended that so far the petitioners are concerned, it has not been alleged that they were carrying any weapon, rather the specific accusation has been levelled against co-accused Haq Mohammad and Shamsuddin Mia, who were having *farsa* in their hand and later on it is the other co-accused persons, who assaulted the elder father of the informant due to which he sustained head injury. So far the accusation is concerned, that also does not corroborate with the injury report, inasmuch as one grievous injury has been found i.e. fracture of proximal shaft of ulna, which is neither explicitly attributed to the petitioners nor on a vital part. There is a counter version of the present case, being Gopalganj Case No. 509 of 2025 instituted against the informant and others, admittedly on the earlier point of time. The petitioner no.2 has fair antecedent



whereas the petitioner no.1 is facing one criminal antecedent; however, they undertake that they will fully cooperate in the proceeding of the court. It is lastly contended that be that as it may, other co-accused persons who are facing omnibus allegation, have been accorded the privilege of anticipatory bail by the court below itself.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of the active participation of the petitioners, the elder father of the informant has sustained a grievous injury, besides others have received simple injuries.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the accusation levelled against the petitioners, coupled with the factum of case and counter case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Gopalganj in connection with Gopalganj P.S. Case No.510 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further



condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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