

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83781 of 2025

Arising Out of PS. Case No.-106 Year-2022 Thana- SARE District- Nalanda

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Gaurav Kumar S/o Deepak Singh Resident of Village- Khetalpura, P.S.-
Asthawan, Lodipur, P.O.- Barbigha, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Sare P.S. Case No. 106 of 2022, registered for the offences punishable under Sections 341/323/307/34 of the Indian Penal Code.

3. In the evening of the fateful day, while the son of the informant was going to Barbigha Bazar, in the meanwhile, one named co-accused along with 3-4 unknown persons surrounded him and brutally assaulted by means of iron rod, chain and *lathi* due to which he sustained serious injury.

4. Learned Advocate for the petitioner referring to the FIR contended that there is omnibus nature of allegation against four named accused persons by specifically disclosing the name of co-accused Kalua. During the course of investigation, the



name of the petitioner has been disclosed as one of the friend of co-accused Kalua, which led to his implication in this case. Though the injury prima facie appears to be grievous in nature, however, the same has not been attributed to the petitioner. The petitioner bears one criminal antecedent, however, the same has been instituted after lodging of the present FIR. It is further contended that so far co-accused Kalua is concerned, he has been granted regular bail by a Bench of this Court in Cr. Misc. No. 5464 of 2023.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioner bears one criminal antecedent, besides the fact that because of assault made by the petitioner and others, the son of the informant has sustained grievous injury.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the petitioner is not named in the FIR and later on his name transpired on the disclosure made by some witnesses, however, without there being any specific accusation, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this



order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Sare P.S. Case No. 106 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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