

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2032 of 2025**

Arising Out of PS. Case No.-151 Year-2018 Thana- GOPALPUR District- Bhagalpur

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Gyani Sah @ Gyandip Sah @ Gyandip Kumar @ Gyandeep Sah @  
Gyandeep Kumar S/O Rajesh Sah Resident of village - Sadhuwa, P.S-  
Rangra, Dist- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

5      14-05-2025              1. Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with  
Gopalpur (Rangra) P.S. Case no.151 of 2018 registered under  
sections 307, 324 and 34 of the Indian Penal Code and Section  
27 of the Arms Act.

3. As per the prosecution case, the allegation in the First  
Information Report is that while the informant was going to his  
home by motorcycle the petitioner along with other co-accused  
persons reached near him and shot on the informant with an  
intention to kill him, as a result of which he got seriously  
injured and fell on the ground.

4. Learned counsel for the petitioner submits at the outset  
that the allegations in the First Information Report are not



correct and as a matter of fact, the allegation of opening fire is initially on co-accused Sumit and Prashant and thereafter it has been stated that when he had fallen down, it is stated that the petitioner had also fired which had passed by giving him a scratch injury on his chin. It has further been submitted that after investigation the present petitioner was not sent up for trial and the same would be evident from the final form/final report which has been annexed as Annexure-P3 to the present application. However, subsequently differing with the final report the learned Court below has been pleased to take cognizance against the petitioner also whereafter the petitioner developed the apprehension of arrest. It has also been submitted that in the connected case of the co-accused persons whose trial had begun the informant has given a specific statement that he could not identify as to who had shot fire upon him and further another witness who is the wife of the informant has also been declared hostile as she has not supported the prosecution case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.

6. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his



arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gopalpur (Rangra) P.S. Case no.151 of 2018 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 Additional Chief Judicial Magistrate-III, Naugachia District Bhagalpur, 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 and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

**(Soni Shrivastava, J)**

Raj Ranjan/-

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