

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2495 of 2026

Arising Out of PS. Case No.-153 Year-2024 Thana- SAKURABAD District- Jehanabad

1. Arun Kumar @ Arun Kumar Goswami S/O Amarnath Goswami R/O Village- Jogiya Bagicha Near Rajendra Ashram, P.S- Civil Line, Distt.- Gaya.
2. Pappu Goswami @ Pappu @ Gautam Kumar Goswami S/O Amarnath Goswami R/O Village- Jogiya Bagicha Near Rajendra Ashram, P.S- Civil Line, Distt.- Gaya.
3. Deepak Goswami @ Bachu @ Deepak Kumar S/O Amarnath Goswami R/O Village- Jogiya Bagicha Near Rajendra Ashram, P.S- Civil Line, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard learned Advocate appearing on behalf of the

petitioners and the learned Additional Public Prosecutor for the

State.

2. The petitioners are apprehending their arrest in connection with Sakurabad P.S. Case No. 153 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 74, 333, 324(4) and 308(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the husband and son of the informant had gone to attend a fair, in the meanwhile, the



petitioners alongwith others forcibly entered into her house in search of her husband. When the action of the accused persons were protested, all the accused persons abused and assaulted the informant and her daughter-in-law, besides there is allegation of misbehavior and outraging the modesty.

4. Learned Advocate appearing on behalf of the petitioners submitted that the present case is nothing but a counterblast to Civil Line P.S. Case No. 190 of 2024 which was instituted by the petitioner no. 1 against the son of the informant, namely Sujit Kumar on 10.04.2024. Even as per the FIR the alleged occurrence took place on 05.07.2024, but the present FIR came to be instituted on 09.07.2024, without there being any explanation for delay. Moreover, the allegation of theft is ornamental and no case is made out under Section 74 of the Bharatiya Nyaya Sanhita against the petitioners. The petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime and assaulted the informant and others.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the materials available on record, specially the fact that prior to the institution of the present case there was an FIR bearing Civil Line P.S. Case No. 190 of 2024 instituted against the son of the informant, besides the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their 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.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Sakurabad P.S. Case No. 153 of 2023, 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 petitioners.

(Harish Kumar, J)

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