

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1807 of 2026

Arising Out of PS. Case No.-198 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

Govind Sah S/o Sriram Sah @ Shree Ram Shah R/o Village - Shivrajpur, P.S -
Kuchaikote, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-01-2026 Heard Mr. Saurabh Kumar, learned counsel for the

petitioner and Ms. Indu Kumari Srivastava, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Kuchaikote P.S. Case No. 198 of 2020, F.I.R. dated 04.06.2020 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 353, 333, 504 of the Indian Penal Code and sections 48, 52 of the Bihar Prohibition and Excise Amendment Act, 2016.

3. According to prosecution case, the informant alleged that the chowkidar were monitoring the wine smugglers at the place of occurrence, then the petitioner along with other co-accused persons came and assaulted the police personnel.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel further submits that the allegation as alleged is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R., it appears that the specific allegation of assault is attributed against co-accused person, namely, Brij Mohan Sah who assaulted the informant and there is no specific allegation of assault or overt act against the petitioner in the F.I.R. and similarly situated co-accused person, namely, Mantu Yadav @ Brijbhan Yadav has been granted anticipatory bail by this Court vide order dated 31.07.2025 passed in Cr. Misc. No. 47428 of 2025.

5. Learned APP has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and the similarly situated co-accused person has been granted anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-IV-cum-Special Judge, Excise Court No.- II, Gopalganj in connection with Kuchaikote P.S. Case No. 198 of 2020, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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