

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20151 of 2026

Arising Out of PS. Case No.-183 Year-2025 Thana- GAMAHAIRIYA District- Madhepura

Gauri Shankar Singh S/o- Late Anant Narayan Singh R/v- Babhani W.No-13,
Ps- Gamharia Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Gamharia P.S. Case No. 183 of 2025, dated 14.08.2025, lodged under Section 126(2), 115(2), 118(2), 109, 303(2), 352 & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of C.J.M., Madhepura.

3. As per the prosecution, FIR has been lodged against 12 persons, out of whom three are named accused persons including the present petitioner. The allegation against the present petitioner is that he assaulted the informant on his head by means of a *dabiya*, due to which injuries were caused to him.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him in which he is on bail. Counsel further submits that the injury has been caused by a hard and blunt substance as per the injury report and the cause of dispute is land, as mentioned in the FIR itself. Counsel also submits that the petitioner is ready to fulfil all the conditions whatsoever may be imposed by this Court.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the case diary has been called for and, from perusal of the same, it transpires that one person has sustained injury by a hard and blunt substance and another person has sustained injury by a sharp cutting weapon. The injury of one person is simple in nature, whereas the nature of injury of the other person has not yet been opined upon and is awaiting the x-ray report.

6. Considering the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. Liberty is hereby granted to the petitioner that if he surrenders within six weeks, the Trial Court is directed to pass



order on his surrender-cum-bail application on the same day without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass an order on the merits of the case.

(Dr. Anshuman, J.)

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