

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21870 of 2026**

Arising Out of PS. Case No.-308 Year-2025 Thana- JITNA District- East Champaran

1. Gauri Shankar Shah @ Gauri Shankar Sah S/o- Ram Bachan Shah @ Ramavachan Sah Resident of Village - Bijabani, P.S. - Jitna, District - East Champaran
2. Monu Kumar @ Manu Kumar S/o- Suresh Shah @ Suresh Sah Resident of Village - Bijabani, P.S. - Jitna, District - East Champaran
3. Sonu Kumar S/o- Suresh Shah @ Suresh Sah Resident of Village - Bijabani, P.S. - Jitna, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      08-04-2026                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners are apprehending arrest in connection with Jitna P.S. Case No. 308 of 2025, dated 10.12.2025, lodged under Sections 126(2), 115(2), 109(1), 352, 351(2), 303(2), 127(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against seven named accused persons, including the present petitioners, with specific allegations against petitioner Nos. 2 & 3 that they have tied a *gamcha* around the neck and threatened to kill. The



allegation of snatching a mobile phone and Rs. 7,000/- cash has also been made. It has been further alleged that when the informant's brother reached, they all assaulted both the brother and the informant with a *lathi*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that all the allegations made are not correct and the petitioners have been made accused in this case with an ulterior motive. Counsel further submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioners and submits that the Trial Court, at the time of passing the order of anticipatory bail, has observed about the injury in the case diary.

6. As such, in the present facts and circumstances of this case, let the petitioner No. 1, namely, Gauri Shankar Shah @ Gauri Shankar Sah be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran



at Motihari, in connection with Jitna P.S. Case No. 308 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail applications of petitioner Nos. 2 & 3, namely, Monu Kumar @ Manu Kumar & Sonu Kumar, are concerned, their bail applications are hereby rejected, with liberty that, in case petitioner Nos. 2 & 3 surrender within four weeks before the Trial Court, the Trial Court is directed to pass an order on their surrender-cum-bail applications on the same day, without being prejudiced by the fact that the anticipatory bail of petitioner Nos. 2 & 3 has been rejected by this Court, and the Trial Court shall pass an order on the merits of the case.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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