

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26068 of 2026

Arising Out of PS. Case No.-341 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Kailash Ram S/o Bhulan Ram Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.
2. Sujeet Kumar Ram S/o Shiv Prasad Ram Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.
3. Ajeet Ram S/o Kokil Ram Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.
4. Bittu Kumar S/o Bitandi Ram Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26493 of 2026

Arising Out of PS. Case No.-341 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Pinki Devi W/o Ajeet Ram All are Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.
2. Rinku Devi W/o Bitandi Ram All are Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.
3. Shiv Kumari Devi W/o Prasad Ram All are Resident of Village - Madachak, P.S. - Gopalpur, District - Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar Advocate General Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26068 of 2026)

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

(In CRIMINAL MISCELLANEOUS No. 26493 of 2026)

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026

Heard Mr. Pankaj Kumar Dubey, learned counsel for



the petitioners and Mr. Anish Chandra and Mrs. Sharda Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Gopalpur P.S. Case No. 341 of 2025, F.I.R. dated 24.12.2025 for the offences punishable under Sections 126(2), 115(2), 117(2), 118(1), 109, 351(2), 352 read with Section 3(5) of the B.N.S.

3. According to prosecution case, it is alleged that when the informant and his brother went to discuss about the land measurement with the petitioners side, the accused persons assaulted the brother of the informant and his family members.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR itself that due to land dispute the present occurrence has taken place. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against against the petitioners. Apart from that there is case and counter-case and one Title Suit No. 319 of 2024 is pending between the parties.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.



6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, there is case and counter case between the parties and there is no specific allegation of assault or overt act against against the petitioners, let the petitioners, above named, in the event of 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. 1st Class, Gopalganj in connection with Gopalpur P.S. Case No. 341 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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