

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55383 of 2025

Arising Out of PS. Case No.-153 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Tunna Kumar @ Tunna Patel, Son of Ramashis Prasad, Village- Bhojpurwa,
PS -Manjhagarh, Dist -Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Dwivedi, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Gopalganj Town P.S. Case No. 153 of 2019 registered for the
offences under Sections 341, 323, 324, 325, 307, 504, 384, 379,
34 of the Indian Penal Code and 37(b) of the Bihar Prohibition
and Excise Amendment Act, 2018.

3. As per the prosecution case, the informant has
alleged that the petitioner, along with other co-accused persons
variously armed, came near the informant and it is alleged that
one Vipin Kumar Patel, a co-accused demanded rangdari from
the informant and when he refused to give the same, he stabbed
him with a knife with an intention to kill. It is further alleged



that when one Niraj Kumar Sharma tried to intervene and save him, the petitioner is alleged to have assaulted him on his neck with a knife.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with general and omnibus allegations. It has further been submitted that specific allegation of assaulting Niraj Kumar Sharma is not substantiated by any injury report and from perusal of the entire case diary, it would be found that there is not a single injury report with regard to Niraj Kumar Sharma. It has thus been submitted that the false implication of the petitioner in the present can be ascertained from the aforesaid fact and the witnesses who have been examined during the course of investigation have merely stated that the petitioner was also present along with the other accused persons. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Gopalganj Town P.S. Case No. 153 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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