

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61429 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- BHORE District- Gopalganj

Santosh Gond S/o- Sudarshan Gond @ Sudarshan Sah Resident of Village-
Khajuraha Misir, Police Station -Bhorey, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi W/o- Santosh Gond Village- Khajuraha Misir Ps- Bhore Dist-
Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Ranjan
For the Opposite Party/s	:	Mr.Binod Kumar
For the informant	:	Mr. Arya Achint

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-02-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Bhorey P.S. Case No. 35 of 2025 dated 02.02.2025 registered under Sections 126(2), 115 (2), 118(1), 351(3), 85 of the B.N.S. 2023 corresponding to Sections 341, 323, 324, 506 and 498A of the I.P.C.

3. The petitioner is the husband of the opposite party no. 2 and both were married about 25 years ago and both uses to live separately. It is alleged that the petitioner tried to kill the informant as well as her children and wants to grab their property. On the alleged date of occurrence i.e. on 01.02.2025 at about 5:00 P.M. the petitioner came to the informant's house in



a drunken state and tried to kill the informant but the informant screamed and the people nearby gathered and she was ultimately saved.

4. Mr. Rajesh Ranjan, learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The opposite party no. 2 always used to argue and fight with the petitioner over petty issues due to which the petitioner was forced to reside separately. It is next submitted that no specific allegation has been levelled against the petitioner rather all the allegations are vague and general and omnibus in nature. It is further submitted that though the alleged occurrence took place on 01.02.2025 however the present F.I.R. was lodged after an unexplained delay of over 24 hours on 02.02.2025. He also submits that only one complaint has been lodged by the informant against the petitioner over a span of eleven years.

5. On the other hand, Mr. Arya Achint, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that if released on bail the petitioner will again assault and torture the informant and her children.

6. Regard being had to the submission made by the parties, taking into consideration the fact that there is marital discord



between the informant and the petitioner, accordingly, I am inclined to grant anticipatory bail to the petitioner subject to the condition that the petitioner shall not assault or torture the informant and her children.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 35 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023

(Anil Kumar Sinha, J)

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