

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83957 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- MOUZAHDIPUR District- Bhagalpur

Gulshan Kumar Jha @ Gulshan Kumar S/O Arbind Kumar Jha R/O Village-
Jahangira, P.S- Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr. M. K. Nirala, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mouzahidpur P.S. Case No. 89 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 76, 303(2), 352, 351(3), 351(2), 109, 3(5) of the BNS.

3. On account of some dispute, allegedly the petitioner along with others brutally assaulted the informant and her family members along with other unknown persons due to which, four persons have sustained serious injuries and referred to the Jawahar Lal Nehru Medical College and Hospital, Bhagalpur. Besides the aforesaid allegation, it is also alleged that the petitioner along with co-accused Sunil Kumar have snatched the golden chain and other valuables.

4. Learned Advocate for the petitioner referring to the



FIR contended that the genesis of the occurrence is nothing but a land dispute which resulted into a free fight and some unfortunate injuries to the persons of both the sides. There is counter version of the present case being Mouzahidpur P.S. Case No. 87 of 2025, which was instituted on earlier point of time. Moreover, the injuries which are allegedly sustained to the informant and others have been found to be simple in nature. To support the aforesaid contention, the injury reports of the injured have been placed on record as Annexure-P/3 series. It is further contended that be that as it may, the petitioner has absolutely fair antecedent and he undertakes before this Court that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that because of assault being made by the accused persons, including the petitioner, four persons have sustained injuries and the complicity of the petitioner cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of occurrence, besides the factum of case and counter case as well as the simple nature of injury and the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of



his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IX, Bhagalpur in connection with Mouzahidpur P.S. Case No. 89 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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