

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87696 of 2025

Arising Out of PS. Case No.-280 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Pawan Devi W/o Late Ram Pukar Sahu @ Ram Pukar Gupta @ Ram Pukar Resident of Village- Madhuban, P.S.- Kusheshwar Asthan, District- Darbhanga, Bihar
 2. Anil Kumar Gupta @ Anil Sahu S/o Late Ram Pukar Gupta @ Ram Pukar @ Ram Pukar Sahu Resident of Village- Madhuban, P.S.- Kusheshwar Asthan, District- Darbhanga, Bihar
 3. Ashok Kumar Sahu @ Ashok Sahu S/o Late Ram Pukar Gupta @ Ram Pukar @ Ram Pukar Sahu Resident of Village- Madhuban, P.S.- Kusheshwar Asthan, District- Darbhanga, Bihar
 4. Sunil Kumar Gupta @ Sunil Sahu S/o Late Ram Pukar Gupta @ Ram Pukar @ Ram Pukar Sahu Resident of Village- Madhuban, P.S.- Kusheshwar Asthan, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-01-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The learned counsel for the petitioners, after some arguments, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 3 (Ashok Kumar Sahu @ Ashok Sahu).

3. Permission is accorded.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 379, 308, 354(B), 427, 504, 506 and 34 of the Indian Penal Code.



5. Learned counsel for the petitioners submits that petitioners had earlier moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 71938 of 2025 and the same was disposed of by an order dated 16.10.2025 in terms of the order dated 13.02.2024 in Criminal Miscellaneous No. 3536 of 2024 (Naushad Ansari Vs. The State of Bihar). It is submitted that petitioners in compliance of the order dated 16.10.2025 represented before the Superintendent of Police and the Investigating Officer of the case, but till date their representation has not been acted upon. It is further submitted that Criminal Miscellaneous No. 71938 of 2025 was disposed of in terms of the order dated 13.02.2024 in Criminal Miscellaneous No. 3536 of 2024 for the reason that the offences for which the instant FIR was instituted carried punishment of seven years and less, but then it is submitted that during investigation police found the case true under Section 307 of the Indian Penal Code, as such, the benefit of Section 41A of the Cr.P.C was not given to the petitioners. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assaulting the informant is against Saroj and Ashok. It is next submitted that no doubt allegation is of assaulting the son and *Dewar* of the informant also, but then



the injury suffered by them has been opined to be simple in nature and injury suffered by informant has been opined to be grievous in nature.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kusheshwar Asthan P.S. Case No. 280 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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