

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 503/2026

Arising out of Goh P.S. Case No. 53/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

1. Vishwanath Prasad, S/o late Deonarayan Prasad, age-52 years, R/o village- Deoraha, P.S.- Goh, District – Aurangabad (Bihar).

2. Jitendra Nath Prasad, S/o late Deonarayan Prasad, age-47 years, R/o village- Deoraha, P.S.- Goh, District – Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Sri Sunil Kumar Singh, Adv.
For the Informant	:	Sri Akhtar Ali, Adv.
For the State	:	Sri Ajay Kumar, P.P.

10.03.2026

Apprehending their arrest in connection with Goh P.S. Case No. 53 of 2026 instituted under Sections 190, 191(2), 115(2), 117(2), 118(1), 109(1), 303(2), 329(4), 324(4) of the Bharatiya Nyaya Sanhita, 2023, petitioners have moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the ld. P.P. for the State.

The briefly stated prosecution story is that the named accused persons including the petitioners entered into the house of informant. At the instigation of Vishwanath Prasad and Jitendra Prasad, Aniket Kashyap assaulted to the informant with falsa as a result of which the informant sustained injury over his head injury. Thereafter, all the accused persons assaulted to the informant with lathi and took away ornaments amounting to Rs. five lakhs.

Learned counsel for the petitioners has submitted that petitioners are quite innocent and they have been falsely implicated in this case as they have not committed any offence as alleged in the prosecution story. Nothing has been happened as alleged by the informant. Petitioners are having no criminal antecedent. It is therefore prayed that the petitioners be released on anticipatory bail.

Learned counsel for the prosecution has also submitted that the compromise has been arrived between the parties and they have amicably settled their dispute.

Heard learned counsel appearing for the petitioners, learned counsel for the informant and learned P.P. for the State.

During course of hearing, it is submitted by the learned counsel for the

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petitioners that **petitioner no. 2, namely, Jitendra Nath Prasad has been arrested in the present case. Hence, the anticipatory bail petition filed on behalf of above named petitioner has become infructuous.** It is further submitted that the matter between the parties has been compromised and the informant Nitish Kumar Soni is also present in person before the court and the compromise petition has been filed in the present anticipatory bail petition. The informant states that he has compromised the matter with the accused persons including the petitioner and he has no grievance against them. The petitioner is his uncle and he does not want to pursue the case against him. From perusal of para-62 of the case diary, it appears that the nature of injury was found to be simple.

Considering the fact that the informant and the petitioner are family members, the informant himself has compromised the case against the petitioner and the injury caused to the informant is found to be simple. Apart from the aforesaid fact, the petitioner is having clean antecedent, as mentioned at para-3 of the anticipatory bail petitioner. Hence, **the anticipatory bail petition filed on behalf of the petitioner Vishwanath Prasad is hereby allowed.** It is directed to release the petitioner on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)