

**IN THE COURT OF ANAND KUMAR SRIVASTAVA DISTRICT &
ADDITIONAL SESSIONS JUDGE-XI, PATNA**

Anticipatory Bail Petition No. 1076 of 2026

Gauri Shankar Jha

Versus

State of Bihar

Ld. counsel for the petitioner:- Ms. Kumari Puja

Adv.

Ld. counsel for the State:- Mr. Brijkishore Pd. Singh

APP

Gauri Shankar Jha, son of Late Devg Kant Jha, resident of Village Kalyanpur (Jagarnathpur), P.S. Kalyanpur, District-Samastipur, at present Kautilya Nagar, A.G. Colony, 90 Feet Road, P.S. Shastri Nagar District Patna, who is apprehending his arrest in connection with Shastri Nagar P.S. Case No. 172 of 2026 for the offences under Sections 303(2), 62, 115(2) of B.N.S.

.....**Petitioner**

Versus

The State of Bihar

Opposite Party

ORDER

25.03.2026

The anticipatory bail petition has been filed on behalf of petitioner namely **Gauri Shankar Jha**, son of Late Devg Kant Jha, who is apprehending his arrest in connection with Shastri Nagar P.S. Case No. 172 of 2026 for the offences under Sections 303(2), 62, 115(2) of B.N.S.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

As per FIR, brief facts of the case is that on 15.02.2026 at about 11:40 PM, then informant Rishav Kumar was sleeping, then he and his wife heard some sound from the second floor of their house, when he went up stairs he saw box was opened and 10 to 15 utensils were missing, one person assaulted by throwing broken tap causing injuries in his finger. He dial on 112 then police came meanwhile thieves fled away. Further, it is alleged that this theft was done on the instance of Gauri Shankar Jha against whom he has already filed FIR, and many other cases are pending against him.

The learned counsel for the petitioner has submitted that no any anticipatory bail petition or regular bail petition has been filed on behalf of the petitioner either before this learned court or before the Hon'ble High Court, Patna. That it is humbly submitted that the petitioner is innocent and has committed no offence as alleged by the informant and has been falsely implicated in the present case with ulterior motive. The petitioner is an educated person and has been carrying on business in Patna for the last twenty years while residing as a tenant in the house of the informant. It is further submitted that after receiving money from the petitioner and Pappu Kumar, the informant started pressurizing the petitioner to vacate the premises, compelling the petitioner to approach the police and also file a criminal writ before the Hon'ble High Court, pursuant to which Shastri Nagar P.S. Case No. 44 of 2026 was instituted against the informant. Due to continuous harassment, the petitioner shifted to his village, and during his absence, the informant allegedly broke open the lock and removed his belongings, which came to his knowledge on 08.02.2026, following which complaints

**IN THE COURT OF ANAND KUMAR SRIVASTAVA DISTRICT &
ADDITIONAL SESSIONS JUDGE-XI, PATNA**

Anticipatory Bail Petition No. 1076 of 2026

Gauri Shankar Jha

Versus

State of Bihar

Ld. counsel for the petitioner:- Ms. Kumari Puja

Adv.

Ld. counsel for the State:- Mr. Brijkishore Pd. Singh

APP

were made to the concerned authorities. The present case has been falsely lodged on 18.02.2026 only to pressurize the petitioner, who is himself a victim and witness in another case. There is no recovery of any alleged stolen articles and the offences alleged are not attracted as stated, with section 115(2) being bailable in nature. Hence, in view of the facts and circumstances, the petitioner deserves protection under section 482 of BNSS, 2023, and undertakes to abide by any condition imposed by this Hon'ble Court, with no likelihood of absconding or tampering with evidence. There are five criminal antecedents against the petitioner in which he is on bail. Hence prayed to enlarge the petitioner on bail.

On the other hand, learned Additional P.P. on behalf of the State vehemently opposed the prayer for anticipatory bail of the petitioner.

Having been heard and perused the case record. It appears that case has been filed for the offence under Section 303(2), 62, 115(2) of B.N.S. From perusal of case record it transpires that there is dispute between the parties regarding purchase of land and non compliance of agreement made between the parties. Earlier, case has been filed by the petitioner against the informant in Shastri Nagar P.S. Case No. 44 of 2026 after intervention of High Court. Thereafter, this case has been filed. It appears that there is previous enmity between the parties and only due to this present case has been filed by the informant, there is no specific allegation against the petitioner. Considering the above facts and circumstances of the case, the submission made herein above. Having regard to all these aspects of the case, the anticipatory bail of the petitioner namely, **Gauri Shankar Jha** is hereby **allowed**.

It is therefore, ordered that in the event of arrest/surrender within four weeks from date of receiving of this order by the lower court, the petitioner be released on anticipatory bail on furnishing his bail bonds of Rs. 10,000/-/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court in Shastri Nagar P.S. Case No. 172 of 2026, subject to the condition as laid down u/s 482(2) B.N.S.S.

(Dictated)

sd/-

Anand Kumar Srivastava
Additional Sessions Judge XI, Patna

Date of order	25.03.2026
Date of reserving order	23.03.2026
Date of uploading	30.03.2026
Uploaded by	Shweta (steno)