

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48689 of 2023**

Arising Out of PS. Case No.-146 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. Mahendra Das @ Mahendra Mochi, S/O Late Kesho Das @ Kesho Mochi, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
2. Mahesh Das @ Mahesh Mochi, S/O Late Kesho Das @ Kesho Mochi, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
3. Maldah Kumar @ Amal Kant Kumar, S/O Late Shyamdeo Ravidas, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
4. Rajeev Kumar @ Rajiv Ravidas, S/O Bhaso Das, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
5. Shiv Kumar, S/O Bhaso Das, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
6. Ranjeet Das @ Ranjeet Kr. Dass, S/O Bhaso Das, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.
7. Hare Krishna Kumar @ Hare Krishna Das, S/O Mahesh Das @ Mahesh Ravidas, R/O Village- Dwele, P.S- Sheikhpura, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      11-08-2023      Initially, it has been submitted by learned counsel for the petitioners that he does not want to press this petition with respect to petitioner no.1, namely, Mahendra Das @ Mahendra Mochi since he has been arrested.

2. Heard learned Counsel for the petitioners and learned APP for the State.

3. The petitioners are apprehending arrest in



connection with Sheikhpura (Kusumbha O.P.) P.S. Case No.146/2023 registered on 10.03.2023 for the offences punishable under Sections 147, 148, 341, 323, 325, 504, 379, 354B, 506 of the Indian Penal Code.

4. As per the prosecution, the FIR has been lodged against 8 named accused, including the petitioners alleging therein that they all armed with lathi, danda, and iron rods came to the house of the informant and started abusing him. On protests being made, they assaulted the informant and her family members too. Petitioner Nos. 5 and 7 alleged to have misbehaved with the wife and daughter of the informant whereas co-accused, Mannu Ravidas alleged to have assaulted the informant with an iron rod causing head injury and fracture on the left hand while co-accused, Rajeev Kumar alleged to have snatched a gold chain from the neck of the daughter of the informant.

5. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. He further submits that from a bare perusal of the written report, it is crystal clear that the dispute has arisen on 08.03.2023 between the children and their families. Thereafter, this occurrence has alleged to be taken place on the next day i.e. on



09.03.2023 but for the alleged occurrence, the written report has been submitted on 10.03.2023. There is a case and counter case between the parties. The case which has been filed by the petitioners' side at an earlier point in time is Sheikhpura (Kusumbh O.P.) P.S. Case No. 142 of 2023 whereas the present FIR in which the petitioners are seeking anticipatory bail has been filed on 10.03.2023. Moreover, the specific accusation of causing injury is against co-accused, Mannu Ravidas while the allegation against these petitioners is omnibus and general. The present case has been lodged only to save the skin by the informant's side. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioners.

7. In the facts and circumstances, let petitioner Nos. 2 to 7 above-named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sheikhpura in connection with Sheikhpura (Kusumbha O.P.) P.S. Case



No.146/2023, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.

**(Dr. Anshuman, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

