

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5633 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- KALUAHI District- Madhubani

1. Babita Devi @ Bibha Devi W/o Saroj Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani
2. Manoj Yadav S/o Ganga Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani
3. Bina Devi @ Veena Devi W/o Dhanbir Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani
4. Ghurani Devi W/o Ganga Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani
5. Suchita Devi W/o Manoj Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani
6. Ganga Yadav S/o Late Dukhi Yadav Resident of Village- Balua Tole, PS- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 27-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in the cause title of the present bail



application in course of the day.

3. The petitioners apprehend their arrest in connection with Kaluahi P.S. Case No. 155 of 2024 instituted for the offences under Sections 126(2), 127(2), 115(2), 117(2), 110, 303(2), 352, 351(2), 3(5) of the BNS.

4. Prosecution case, in short, is that, on the alleged date and time of occurrence, one Dhanvir Kumar Yadav was illegally constructing a house on the informant's land. When the informant protested, the petitioner along with his associates including these petitioners assaulted him with deadly weapons and also snatched his gold *hanumani*.

5. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. The only specific allegation is against petitioner no. 2 of assaulting the informant's brother on his head. Learned counsel further contended that the injuries sustained by the informant's brother are simple in nature. Learned counsel further submitted that there is admitted land dispute between the parties. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent. The co-accused person has already been



granted regular bail by this Court vide order dated 12.05.2025 passed in Cr. Misc. No. 12091 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, since there is specific allegation against petitioner no. 2 of assaulting the informant's brother, this Court is not inclined to grant the privilege of anticipatory bail to him, hence, the prayer for grant of anticipatory bail to the petitioner no. 2 namely, Manoj Yadav is rejected. However, liberty is granted to the petitioner no. 2 to surrender before the learned court below within a period of six weeks and seek regular bail.

8. So far as rest of the petitioners, i.e. petitioner nos. 1, 3, 4, 5 and 6, are concerned, there is general and omnibus allegation against them, hence, this Court is inclined to grant anticipatory bail to them.

9. Let the petitioner nos. 1, 3, 4, 5 and 6, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with



Kaluahi P.S. Case No. 155 of 2024, subject to the conditions as
laid down under Section 482(2) of the Bharatiya Nagarika
Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

