

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6910 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- KHAIRA District- Saran

-
1. Kiran Devi wife of Late Nand Kishore Sharma R/o Village- Firojpur, P.S.- Khaira, District- Saran Bihar
 2. Dipak Kumar Sharma Son of Late Nand Kishore Sharma R/O Vill.- Firojpur, P.S.- Khaira, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Alok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioners, Learned
Counsel for the informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Khaira P.S. Case No.273 of 2024, lodged on 13.11.2024, under Sections 126(2)/115(2) /109/ 352 /351 (2) / 3(5)/74/303(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS" 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, FIR has been lodged against



12 named accused persons including the present petitioners and specific allegation against accused Binod Kumar Sharma and Ajay Kumar Sharma to assault the informant's side and against rest others there are general and omnibus allegation.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that antecedent of the petitioners are clean and there is no allegation against the petitioners save and except general and omnibus. He submits that cause of dispute has been stated in the FIR itself that the land dispute is between the parties.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that in this litigation six persons were injured though it is land dispute but injury has been caused from the accused side and some of the injured were admitted to Hospital also for better treatment. Therefore, he requests to reject the bail application of the petitioners.

6. Learned APP for the State also opposes the prayer for bail of the petitioners but submits that there is general and omnibus allegation against the petitioners.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on



anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction Chief Judicial Magistrate, Saran at Chapra, in connection with Khaira P.S. Case No. 273 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./-

U			
---	--	--	--

