

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12788 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- BANKA District- Banka

1. Pankaj Kumar Das @ Pankaj Das Son of Lakshman Das
 2. Kama Devi wife of Pankaj Kumar Das @ Pankaj Das
 3. Boran Das @ Nitesh Kumar son of Pankaj Kumar Das @ Pankaj Das
 4. Ankaj Das son of Lakshman Das
 5. Lakshman Das son of Late Bimal Das
 6. Rupan @ Japan Das @ Rupam Das @ Rupan Das son of Late Bimal Das
 7. Dinesh Das son of Late Chhimal Das
 8. Niraj Das @ Niraj Kumar Das @ Niraj Kumar Son of Dinesh Das
- All are Resident of village- Karhariya P.S.- Belhar, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-04-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Banka P.S. Case No. 124 of 2024 dated 27.03.2024, registered for the offence(s) punishable under Section(s) 341, 323, 307, 354(B) read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by petitioners' counsel are that the FIR has been registered against 13 persons



including the petitioners, against the petitioners nos. 1 to 7, there is no specific allegation and the petitioner no. 8 is alleged to have assaulted the informant's son and his cousin brother by means of an iron rod and against the other petitioners, there is general and omnibus allegation. It is further submitted that the FIR shows that the alleged occurrence was not pre-planned and the same is said to have taken place on account of the bicycle falling on the wife of the informant which led to commission of the alleged occurrence and the same resulted in free-fight in between both the parties and there is case and counter case in between them. It is lastly submitted that against the petitioners, there is no criminal antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the facts and circumstances of this case as well as submissions advanced above, this court is inclined to grant the relief of anticipatory bail to the petitioners nos. 1 to 7. Accordingly, let the **petitioner no. 1 (Pankaj Kumar Das @ Pankaj Das)**, **petitioner no. 2 (Kama Devi)**, **petitioner no. 3 (Boran Das @ Nitesh Kumar)**, **petitioner no. 4 (Ankaj Das)**, **petitioner no. 5 (Lakshman Das)**, **petitioner no. 6 (Rupan @ Japan Das @ Rupam Das @ Rupan Das)**



and petitioner no. 7 (Dinesh Das), in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Banka P.S. Case No. 124 of 2024 on furnishing bail bonds of Rs.20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

6. So far as the prayer of petitioner no. 8 (Niraj Das @ Niraj Kumar Das @ Niraj Kumar) is concerned, as against him, there is specific allegation of having assaulted at the vital part of the informant's son and his cousin brother and the case is under investigation, in my opinion, the said **petitioner no. 8 (Niraj Das @ Niraj Kumar Das @ Niraj Kumar)** does not deserve to the privilege of anticipatory bail. Accordingly, his anticipatory bail prayer **stands rejected.**

(Shailendra Singh, J)

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