

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16023 of 2025

Arising Out of PS. Case No.-214 Year-2024 Thana- MOHANPUR District- Gaya

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1. Pramila Devi Wife of Upendra Das Resident of Village- Rampur, P.s.- Mohanpur, Dist- Gaya
 2. Upendra Das @ Upendra Ravidas Son of Late Karu Das Resident of Village- Rampur, P.s.- Mohanpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend their arrest in connection with Mohanpur P.S. Case No. 214 of 2024, dated 19.08.2024, lodged under Section 126(2), 115(2), 110, 303(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against two named accused persons, including the present petitioners, alleging that the accused persons assaulted the informant with a



khanti, due to which bleeding started and the informant became unconscious.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that, based on the contents of the FIR, it is clear that the dispute arose due to agricultural water issues. Counsel also submits that this is a land dispute and the petitioners have clean criminal antecedents. However, at the instance of the petitioners' enemies from the same village, this case has been lodged.

5. Learned APP for the State opposes the petitioners' bail application and submits that there is a specific allegation against petitioner No. 2, stating that he attacked the informant on the head with a khanti, causing severe injuries.

6. In the present facts and circumstances of this case, let the petitioner No.1, namely, Pramila Devi be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS,2023 to the satisfaction of Addl. Chief Judicial Magistrate- II, Sherghati, Gaya, in connection with Mohanpur P.S. Case No. 214 of 2024, subject



to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as the bail application of the petitioner No. 2, namely, Upendra Das @ Upendra Ravidas, is concerned, his bail application is hereby rejected, with a liberty that in case, the petitioner No. 2 surrenders within four weeks before the Trial Court, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner No. 2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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