

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15858 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- BANKA District- Banka

1. Vijay Das @ Vijay Kumar Das Son of Niranjn Das Resident of Village - Kelawari, P.S. and District - Banka
2. Ajay Das @ Ajay Kumar Das Son of Niranjn Das Resident of Village - Kelawari, P.S. and District - Banka
3. Pankaj Kumar Son of Bablu Das Resident of Village - Kelawari, P.S. and District - Banka
4. Binodanand Kumar @ Binidanand Bittu @ Bittu Son of Dablu Das Resident of Village - Kelawari, P.S. and District - Banka
5. Tuni Kumar @ Tuni Kumari Daughter of Niranjn Das Resident of Village - Kelawari, P.S. and District - Banka
6. Manohar Das @ Manohar Kumar Son of Bablu Das Resident of Village - Kelawari, P.S. and District - Banka
7. Rinku Devi Wife of Dablu Das Resident of Village - Kelawari, P.S. and District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P

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 apprehends their arrest in connection with Banka P.S. Case No. 496 of 2024 lodged on



23.11.2024, for the offence punishable under Sections 126(2), 115(2), 109, 117(2), 303(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against nine named accused persons including the present petitioners. It has been alleged in the FIR that when the informant's nephew was playing with water, meanwhile Vijay Das (petitioner no.1) was crossing from there and got wet and he started abusing the informant's side and when they oppose, accused persons assaulted the informant and his father due to which head injury caused.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that petitioners have no criminal antecedent. Counsel further submits that in the FIR itself, the cause of dispute has been assigned by the informant. Counsel submits that for the same date and place of occurrence, there is case and counter case i.e. one case has been lodged from the petitioners' side bearing Banka P.S. Case No.495 of 2024 and one case has been lodged from the informant's side bearing Banka P.S. Case No.496 of 2024. Counsel submits that both the parties are resident of same village.



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

6. 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 Trial Court 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 of Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 496 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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