

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17406 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

1. Ajay Rajbanshi @ Anjay Rajbanshi S/O Prasad Rajbanshi @ Ram Prasad Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
2. Satish Rajbanshi @ Satish Kumar S/O Uma Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
3. Tunnu Kumar @ Tunnu Rajbanshi S/O Late Gaji Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
4. Ranjeet Rajbanshi S/O Late Gaji Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
5. Ram Briksh Mochi @ Briksh Ravidas @ Ram Birach Mochi S/O Late Hari Ravidas R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
6. Prahlad Rajbanshi S/O Ram Bali Rajbanshi @ Rambalu Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
7. Jayanti Devi W/O Yogendra Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.
8. Lalita Devi @ Lalti Devi W/O Mohan Rajbanshi R/O Village- Sikandara, P.S- Muffasil, Distt.- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-04-2025

1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Muffasil Police Station Case No. 178 of 2024, dated 07.06.2024, disclosing offences punishable under Sections 147/149/341/323/448/308/354-B/380/504/506/



34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 29.05.2024, while the informant was at his tailor shop, he was informed that a large number of people, variously armed, were searching him, upon which the informant closed his shop and went to his house, in the mean while, the petitioners, along with 30-40 other co-accused persons, entered into the house of the informant and the petitioner no. 1 fired upon the informant, but the same was misfired and the petitioner no. 6 assaulted the informant by sword. Thereafter, the informant's wife was assaulted by the petitioners, due to which she sustained injury on her head. The petitioners, along with others, also assaulted the sister-in-law, cousin daughter-in-laws and others members and the petitioner nos. 1, 2, 3 and 5 torn the saree and blouse of the wife of the informant and the accused persons also took away articles from the house of the informant.
4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to dispute regarding gair mazarua land between them. The informant's side wanted to grab the gair mazarua land,



which is being objected by the side of the petitioners.

Both parties are co-villagers and no apparent injury has been caused to the informant or others, except the wife of the informant, who has sustained simple injury (Annexure 2 series).

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation against the petitioner no. 1 and the fact that petitioner no. 1 was leading the other co-accused persons to the house of the informant and also fired upon the informant, but the gun misfired and he also tried to outrage the modesty of the wife of the informant, I am not inclined to grant the petitioner no. 1 privilege of anticipatory bail.
6. This application, so far as petitioner no. 1 is concerned, is dismissed.
7. However, considering the fact that the allegation against the petitioner nos. 2 to 8 is general and omnibus in nature, both parties are co-villagers and injury sustained by the wife of the informant is simple in nature, I am inclined to grant the petitioner nos. 2 to 8 privilege of anticipatory bail.



8. This application, so far as petitioner nos. 2 to 8 are concerned, is, accordingly, allowed.
9. Let the petitioner nos. 2 to 8, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Nawadah, in connection with Mufassil Police Station Case No. 178 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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