

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22716 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- DHANAHA District- West Champaran

1. Kolai Bin S/O Laxmi Bin R/O Vill.- Pachrukhi Sirisiya Madanpur, P.S.- Naurangiya, Dist.- West Champaran
2. Laljee Bin @ Lalji Bin S/O Laxmi Bin R/O Madhua, P.S.- Madhubani, Dist.- West Champaran.
3. Sagar Bin S/O Bindhyachal Bin @ Vindhyachal Been R/O Madhua, P.S.- Madhubani, Dist.- West Champaran.
4. Bindhyachal Bin @ Vindhyachal Bind S/O Laxmi Bin R/O Madhua, P.S.- Madhubani, Dist.- West Champaran.
5. Geeta Devi W/O Bindhyachal Bin @ Vindhyachal Bin R/O Madhua, P.S.- Madhubani, Dist.- West Champaran.
6. Musafir Bin S/O Shambhu Bin R/O Madhua, P.S.- Madhubani, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sharma, Adv
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2025 Heard Suresh Prasad Sharma, learned Counsel for
the petitioner and Satyendra Prasad learned APP for the State.

2. At the very outset, learned counsel for the petitioner submits that application for anticipatory bail with respect to petitioner no. 5, namely, Geeta Devi has already been withdrawn on 18.04.2025 itself.

3. The petitioners No. 1, Kolai Bin, 2, Laljee Bin @ Lalji Bin 3, Sagar Bin, 4, Bindhyachal Bin @ Vindhyachal Bind and 6, Musafir Bin apprehend their arrest in connection with



Dhanaha P.S. Case No. 257 of 2024 registered on 12.12.2024 for the offenses punishable under Sections 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 351(2), 3(5) of the B.N.S., 2023.

4. According to the prosecution, the present F.I.R. has been lodged against twelve named accused persons, including the present petitioners. It is alleged that they connived with each other and surrounded the informant, his family members and assaulted them by means of *Lathi*, *Danda*, iron rod, *Farsa* due to which the informant, his wife received serious injuries. The cause of dispute is said to be the land disputed between the parties and in this regard in the morning of 11.12.2024, the informant has filed an application and subsequently, the present petition.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. Learned counsel further submits that the antecedents of the petitioners are clean. Learned counsel further submits that the present case is a counter blast case filed by the informant in retaliation of the case filed by the petitioners namely, Dhanha PS Case No. 258/2024. Learned counsel next submits that the allegations are general and omnibus in nature, the entire prosecution story is false and the allegation alleged in the FIR is



only due to dirty village politics. It has also been submitted that there is no chance of absconding the petitioners, they are respectable persons of the locality and they are ready to fulfill all the conditions whatever imposed to them.

6. Learned APP for the State vehemently opposes the prayer for anticipatory bail and submits that though the allegation is general and omnibus in nature but it has been alleged in the FIR that a *Sanha* was lodged by the informant's side in the morning itself before the police that the petitioners(accused persons) may create trouble but the police did not act upon and subsequently, on the same day at 11:00 AM, this occurrence took place on the basis of which, the FIR has been lodged.

7. In view of the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

8. Accordingly, the prayer for anticipatory bail of the petitioners in connection with Dhanaha P.S. Case No. 257 of 2024, pending before the learned Judicial Magistrate- 1st Class, Bagaha, West Champaran, is hereby rejected.

9. However, it is directed that the petitioners shall surrender before the Trial Court within a period of five weeks from today. In the event of such surrender, the Trial Court shall



pass an appropriate order on the petitioner’s surrender-cum-bail application on the same day, after considering the case diary, injury report, and inquest report, without being prejudiced by the rejection of the present anticipatory bail application by this Court.

(Dr. Anshuman, J)

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