

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21157 of 2025

Arising Out of PS. Case No.-229 Year-2024 Thana- SANJHOLI District- Rohtas

1. Shiv Kumar Chaudhary @ Shiv Kumar Singh Son of Late Ramkrit Chaudhary @ Late Ramkrit Singh Resident of Village -Chandi, English, Police Station- Sanjhauli, District- Rohtas
2. Mithilesh Chaudhary Son of Shiv Kumar Chaudhary Resident of Village -Chandi, English, Police Station- Sanjhauli, District- Rohtas
3. Mithu Chaudhary Son of Shiv Kumar Chaudhary Resident of Village -Chandi, English, Police Station- Sanjhauli, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Raghunandan Kumar Singh
For the Opposite Party/s :	Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioners, Learned
APP for the State and Learned Counsel for the Informant.

2. The present Criminal Miscellaneous 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 Sanjhauli P.S. Case No.229 of 2024 lodged on 09.12.2024, for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 303(2), 352, 351(2) and 3(5) of the BNS 2023.

3. As per the prosecution, FIR has been lodged against 3 named accused persons (present petitioners) with allegation that the dispute started between the coparcener of the accused



persons for partition of the land. Upon receiving information, informant reached there then the petitioners assaulted the informant and his brother due to which head injury has been caused. Allegation of snatching of gold chain of Rs.45,000/- is also there against them.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case *i.e.*, Sanjhauli P.S. Case No.229 of 2024 (present case) and the petitioners have lodged case *i.e.*, Sanjhauli P.S. Case No.228 of 2024.

5. Counsel submits that the criminal antecedent of the petitioners is clean. He further submits that petitioners have also been filed *sanha* No.1087 of 2024 which is annexed vide Annexure- P/3 of the bail petition, which indicates that the informant of the present case and their relatives are not interested to make partition with them upon repeated demand and there is allegation that the breach of peace took place.

6. Counsel further submits that vide Annexure-P/4, injury is simple in nature caused by hard and blunt substance.

7. Counsel for the informant vehemently opposes the



prayer for bail and submits that allegation has been made in which injury has been caused to two persons. One person has simple injury and another has grievous injury in nature.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is case and counter-case and there is dispute of partition of land between both the parties.

9. 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 learned Court below 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 Addl. Chief Judicial Magistrate-III, Bikramganj, Rohtas, in connection with Sanjhauli P.S. Case No.229 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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