

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19371 of 2025

Arising Out of PS. Case No.-391 Year-2024 Thana- KATEYA District- Gopalganj

1. Dhanai Singh son of Late Ramdhari Singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj
2. Mahatam Singh Son of Late Ramdhari Singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj
3. Amod Singh @ Amod Kumar Singh Son of Dhanai singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj
4. Rohit Singh @ Rohit Kumar Singh son of Dhanai singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj
5. Ajay Singh @ Ajay Kumar Kushwaha Son of Mahatam Singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj
6. Sanjay Singh Son of Mahatam Singh Village -Choubey Parsa PS -Sripur Distt- Gopalganj At Present- Moshrauli, Ps- Kateya, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. Counsel for the petitioners submits that during pendency of the bail application, petitioner No.1 has been arrested, therefore, this application becomes infructuous for petitioner No.1.

3. 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 petitioner Nos. 2 to 6



who apprehend their arrest in connection with Kateya P.S. Case No. 391 of 2024 lodged on 09.10.2024, for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 109(1), 74 and 303(2) of the BNS, 2023.

4. As per the prosecution, FIR has been lodged against 8 named accused persons including the present petitioners against whom there is allegation that they all reached at the house of the informant and assaulted the son of the informant due to which injury has been caused. When informant's daughter-in-law come forward then accused persons have snatched mangalsutra from her neck amounting to Rs.70,000/-.

5. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that from the contents of FIR, it becomes crystal clear that the informant and petitioners are well-known to each other and basically, they are agnates. The dispute is relating to land between the parties.

6. Counsel further submits that for the same date and place of occurrence, there is case and counter case from both the sides. The petitioners have filed a case, i.e., Kateya P.S. Case No.409 of 2024 and the informant has lodged the present case i.e., Kateya P.S. Case No.391 of 2024. He further submits that



scuffling took place from both sides and injury has also been caused.

7. Counsel submits that the criminal antecedent of the petitioners is clean and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is case and counter-case from the parties.

9. As such, in the present facts and circumstances of this case, let the above named petitioner Nos. 2 to 6 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 A.C.J.M.-VI, Gopalganj, in connection with Kateya P.S. Case No. 391 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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