

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20248 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- BARHARA KOTHI District- Purnia

1. Bheem Kumar@ Bheem Tatma S/o Arun Tatma Resident of ward no 09, Barahara Kothi, Police station- Barahara Kothi, District- Purnea
2. Arun Tatma S/o Late Shanti Tatma R/o ward no. 6, Barahara Kothi, P.S.- Barahara Kothi, Distt.- Purnea
3. Badal Kumar S/o Arun Tatma R/o ward no. 9, Barahara Kothi, P.S.- Barahara Kothi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-04-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126, 115(2), 109, 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. Prosecution case, in brief, is that on 04.09.2024 at about 7 AM, informant was removing obstruction from the road and in the meantime, neighbours of the informant named in the F.I.R. including these petitioners, variously armed, came there and started abusing and when informant protested, co-accused Lalho Yadav gave iron rod blow on the head of informant. It is



further alleged that when family members of the informant came to the rescue, they were also assaulted by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Specific allegation of assault and causing grievous injury is against co-accused Lalho Yadav. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Injury allegedly caused by these petitioners is simple in nature. It is further submitted that similarly situated co-accused, namely, Bablu Yadav has already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 02.04.2025 passed in Cr. Misc. No. 18591 of 2025. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, simple injury and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of Chief Judicial Magistrate,
Purnea in connection with Barahara Kothi P. S. Case No. 213 of
2024, subject to condition as laid down under Section 482(2) of
the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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