

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23631 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- KACCHWA District- Rohtas

1. Subandhan Kumar S/o Late Narayan Singh Resident of Village- Mangraon (Nuoan Tola), P.S. Kachhawan, District- Rohtas
2. Guddu Kumar @ Satya Prakash S/o Late Narayan Singh Resident of Village- Mangraon (Nuoan Tola), P.S. Kachhawan, District- Rohtas
3. Rita Kuwar @ Rita Devi W/o Late Narayan Singh Resident of Village- Mangraon (Nuoan Tola), P.S. Kachhawan, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Kachhawan P.S. Case No. 16 of 2025 registered for the offences punishable under Sections 126, 115(2), 109, 303(2), 352, 351(2), 3(5) of the BNSS, 2023.

3. As per prosecution case, petitioner nos. 1 and 2 are said to have dashed the cycle of informant's son by their motorcycle and when the same was protested, petitioner nos. 1 and 2 started fighting with him. After hearing the *hulla*, the informant came out and both the petitioner nos. 1 and 2 started



abusing her also. Petitioner no. 3 assaulted the informant. It is alleged that petitioner no. 2 is said to have assaulted with an intention to kill the informant by means of sword on her head as a result of which she sustained head injury. It is alleged that petitioner no. 3 snatched gold chain and gold earrings from the neck and ear of the informant.

4. Learned counsel for the petitioners submits that there is land dispute between the parties with regard to the land and in the cases of land dispute facts are generally exaggerated to make the offence graver. He further submits that there is case and counter case on the same date of occurrence and free fighting cannot be ignored. He further submits that the nature of injury sustained by the informant is simple in nature. Petitioners are innocent and have committed no offence as alleged in the FIR. Petitioners bear no criminal antecedent. He further submits that petitioner no. 3 is a widow and being mother of petitioner nos. 1 and 2 she has falsely been implicated in the present case. Petitioners have no concern with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument



advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - III, Bikramganj (Rohtas) in connection with Kachhawan P.S. Case No. 16 of 2025, subject to the conditions as laid down under Section 482 of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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