

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26745 of 2025

Arising Out of PS. Case No.-268 Year-2024 Thana- PARASBIGHA District- Jehanabad

1. Indu Devi W/O Manoj Kumar
 2. Shobha Devi W/O Vinay Yadav
 3. Kunti Devi W/O Late Nathun Yadav
 4. Ranjeet Kumar S/O Vinay Yadav
 5. Ravi Shankar Kumar S/O Manoj Kumar
- All are Resident Of Village- Musti Chak, P.s.- Parasbigha, Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Advocate
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr.Nityanand Neeraj, learned counsel for the

petitioners and Mr.Chandra Bhushan Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Parasbigha P.S.Case No.268 of 2024, FIR dated 09.12.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 329(4), 109, 125(a), 125(b), 74 of the B.N.S., 2023.

3. As per FIR, the thrust of allegation against the petitioners is of assaulting the informant party after forming unlawful assembly and getting them injured.



4. Learned counsel for the petitioners submits that petitioner No.3 has clean antecedent, petitioner Nos.1 and 2 carry one more case other than the present one and they are on bail in the said case and petitioner Nos.4 and 5 carry two more cases other than the present one and they are on bail in both the cases. They have falsely been implicated in the present case on the basis of admitted land dispute between the parties. There is case and counter case. Although petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners, specific allegation of assault is attributed against co-accused person, namely, Upendra Yadav and apart from that, one Title Suit No.162 of 2024 is pending before the competent court of law between the parties.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, there is no specific allegation of any assault or overt-act attributed against the petitioners, there is case and counter case and one Title Suit No.162 of 2024 is pending before the competent court of law between the parties, let the petitioners, above named, in the



event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Judicial Magistrate 1st Class, Jehanabad in connection with Parasbigha P.S. Case No.268 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

