

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24729 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- BHORE District- Gopalganj

- 1. Harendra Rajbhar S/o Late Sita Ram Rajbhar @ Sitaram Bhar R/o Village- Kalyanpur, PS- Bhore, Distt- Gopalganj
- 2. Manikant Rajbhar @ Manikant Kumar S/o Harendra Rajbhar R/o Village- Kalyanpur, PS- Bhore, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 25950 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- BHORE District- Gopalganj

Bhola Rajbhar S/O Late Sita Ram Rajbhar @ Sitaram Bhar Resident of Village- Kalyanpur, Police Station- Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 24729 of 2025)
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
: Mr. Shashank Shekhar, Adv
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP
(In CRIMINAL MISCELLANEOUS No. 25950 of 2025)
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
: Mr. Shashank Shekhar, Adv
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 01-08-2025

CRIMINAL MISCELLANEOUS No.24729 of 2025

Heard learned counsel appearing on behalf of the
petitioners and learned Additional Public Prosecutor appearing



on behalf of the State.

2. The accused/petitioners are named in the F.I.R. and apprehended their arrest in connection with Bhore P.S. Case No. 246 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 121(1), 121(2), 132 and 3(5) of the B.N.S.

3. The allegation against the petitioners is to assault police team and Bihar Homeguard personnel when they entered into the village of petitioners to raid the house of petitioners in connection with Kateya P.S. Case No. 382 of 2024 related with Excise Act.

4. Learned senior counsel appearing on behalf of the petitioners submitted that allegation *qua* pelting stones and deterring police team is very much general and omnibus against the petitioners. It is submitted that petitioners were implicated with the present case out of their criminal antecedents, where petitioner no. 1 was said to be involved in four more criminal cases, where he is on bail in two cases and already acquitted in another two cases. It is further submitted that in fact police personnel assaulted petitioners and their



family members and while chasing petitioners and other family members they received injuries on their own, which upon medical examination found simple in nature. It is pointed out that as certain accused persons received serious injuries during the occurrence to save themselves from departmental action, present false case was lodged as it is apparent from the FIR, that after arrest, petitioners were directly taken to hospital for treatment. While concluding the argument it is submitted that petitioner no. 2 was involved in one more case, where he is on bail.

5. Learned APP appearing on behalf of the State, while opposing the prayer for anticipatory bail fairly conceded that injury of police personnel appears simple in nature.

6. In view of the facts and circumstances and by taking note of nature of accusations and injuries, accordingly both above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the



learned Sub-Divisional Judicial Magistrate,
Gopalganj/concerned Court where the case is pending in
connection with Bhore P.S. Case No. 246 of 2024 subject to
the conditions as laid down under Section 482(2) of the
BNSS.

CRIMINAL MISCELLANEOUS No. 25950 of 2025

Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

2. The accused/petitioner is named in the F.I.R.
and apprehended his arrest in connection with Bhore P.S.
Case No. 246 of 2024 registered for the offences punishable
under Sections 126(2), 115(2), 118(1), 117(2), 121(1),
121(2), 132 and 3(5) of the B.N.S.

3. The allegation against the petitioner is to
assault police team and Bihar Homeguard personnel when
they entered into the village of petitioners to raid the house of
petitioners in connection with Kateya P.S. Case No. 382 of
2024 related with Excise Act.



4. Learned senior counsel appearing on behalf of the petitioner submitted that allegation *qua* pelting stones and deterring police team is very much general and omnibus against the petitioners. It is submitted that petitioner is implicated with the present case out of their criminal antecedents, where petitioner was said to be involved in two more criminal cases, where he is on bail. It is further submitted that in fact police personnel assaulted petitioner and their family members and while chasing petitioner and other family members, they received injuries on their own, which upon medical examination found simple in nature. It is pointed out that as certain accused persons received serious injuries during the occurrence to save themselves from departmental action, present false case was lodged as it is apparent from the FIR, that after arrest petitioners were directly taken to hospital for treatment.

5. Learned APP appearing on behalf of the State, while opposing the prayer for anticipatory bail fairly conceded that injury of police personnel appears simple in nature.

6. In view of the facts and circumstances and by



taking note of nature of accusations and injuries, accordingly above named petitioner, in the event of his arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gopalganj/concerned Court where the case is pending in connection with Bhore P.S. Case No. 246 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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