

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25305 of 2025

Arising Out of PS. Case No.-527 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

1. Ashok Kumar Kushwaha S/O Late Budhu Mahto R/O Mohalla- Bari Pahari, P.S- Laheri, Distt.- Nalanda..
2. Satyendra Yadav @ Sateyendra Kumar S/O Chandeshwar Prasad R/O Mohalla- Bari Pahari, P.S- Laheri, Distt.- Nalanda..
3. Ansh Raj @ Ansh Kumar @ Akash S/O Ashok Kumar Kushwaha R/O Mohalla- Bari Pahari, P.S- Laheri, Distt.- Nalanda..

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-04-2025 Heard Mr. Indu Bhushan, learned counsel for the petitioners and Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Laheri P.S. Case No. 527 of 2024, F.I.R. dated 23.10.20 for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 76, 303(2), 109(1), 352 and 351(2) of the B.N.S. and Section 27 of the Arms Act.

3. According to prosecution case, due to land dispute, the petitioners assaulted the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that the present case is counter blast of Laheri P.S. Case No. 522 of 2024 filed by petitioner no. 1 against the husband of the informant and his other family members. He further submits that it appears from the F.I.R that the date of occurrence is 20.10.2024 but the present F.I.R has been instituted on 23.10.2024 and it appears due to admitted land dispute the present occurrence has been taken place and on Partition Title Suit No. 322 of 2024 is pending before the competent Court of law between the parties and the in the present occurrence, both the sides have received injuries. Petitioner nos. 1 and 3 are agnates of the informant's husband. Apart from that there is no specific allegation of assault against the petitioners

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, the petitioners have clean antecedent and the present case is counter case in the background of the land dispute, let the petitioners, above named, in the event of 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 the learned C.J.M., Nalanda at Biharsharif, in connection with Laheri P.S. Case No. 527 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 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 bond 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 antecedent, 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)

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