

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42372 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- MALI District- Aurangabad

Asha Devi W/O Balram Singh R/O- Chainpur Batholia, P.S.- Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 41313 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- MALI District- Aurangabad

- 1. Raja Singh S/O Balram Singh R/O- Chainpur Batholia, P.S.- Mali, District- Aurangabad
- 2. Balram Singh S/O NA R/O- Chainpur Batholia, P.S.- Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 42372 of 2025)
For the Petitioner : Mr. Sharda Nand Mishra, Advocate
Mr. Sumit Kumar Gupta, Advocate
Ms. Isha Mishra, Advocate
For the State : Mr. Ram Priya Sharan Singh, APP
For the Informant : Mr. Bhanu Pratap Singh, Advocate
(In CRIMINAL MISCELLANEOUS No. 41313 of 2025)
For the Petitioners : Mr. Sharda Nand Mishra, Advocate
Mr. Sumit Kumar Gupta, Advocate
Ms. Isha Mishra, Advocate
For the State : Mr. Ram Sevak Choudhary, APP
For the Informant : Mr. Bhanu Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-11-2025 Since both these petitions arise out of the same P.S.

case, they are being taken up together and disposed of by this

common order.



2. Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 318(1), 117(2), 109, 352 and 3(5) of the B.N.S..

4. As per prosecution case, it is alleged that on 17.12.2024 at about 4 o'clock, all the F.I.R. named accused persons, including these petitioners, abused and assaulted informant and his brother with *lathi*, *danda* and sword due to which they sustained injuries.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, both parties are agnates and due to land dispute between the parties, a simple scuffle took place leading to lodging of this false and concocted case. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

6. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.



7. Considering the backdrop of the case, relationship between the parties, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners 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 learned J.M. 1st, Aurangabad in connection with Mali P.S. Case No. 230 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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