

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32104 of 2025**

Arising Out of PS. Case No.-36 Year-2023 Thana- NIMCHAKBATHANI District- Gaya

1. Bindeshwar @ Bineshar Das, S/o- Hari Das,
 2. Ramanand Das, S/o- Bindeshwar @ Bineshar Das,
 3. Dharmendra Kumar, S/o- Sheo Kumar Das
 4. Sunil Kumar, S/o- Ramanand Das
- All are residents of village- Manjhauti, PS-Nimchak Bathani, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Neemchak Bathani P.S. Case No. 36 of 2023 for the offences under Sections 147, 148, 149, 323, 341, 504, 506 and 379 of the Indian Penal Code.

3. As per prosecution case, the petitioners assaulted the informant and snatched Rs.1,000/- from him while the petitioner along with his wife and children had been going for treatment of his wife and children on a motorcycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this



case. The FIR has been lodged after a delay of three days without any explanation. The petitioners and the informant are residents of different villages and are not known to each other. The true fact of the case is that while informant was going on his motorcycle along with his family, his motorcycle dashed with the motorcycle of a co-villager of the petitioner and the informant and with his family fell down and received injuries. Some altercation took place and the informant threatened the petitioners that he would teach them a lesson. All injuries of the informant are due to falling while the motorcycle was dashed. Moreover, the injuries are simple in nature and the allegations of theft is super addition and is non-specific. The petitioners are having clean antecedents.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the simple nature of injuries and further considering the clean antecedent of the petitioners and possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds



of Rs.5,000/- (Rupees Five Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gaya, in connection with Neemchak Bathani P.S. Case No. 36 of 2023, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and further condition that the petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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