

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36627 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- KAMTAUL District- Darbhanga

1. Mohit Das @ Mohit Kumar Das Son of Vogendra Das @ Bhagendra Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
2. Vogendra Das @ Bhagendra Das Son of Maithur Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
3. Prakash Das Son of Prabhu Das @Petu Das @ Lal Chand Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
4. Ram Balak Das @ Ram Balak Son of Prabhu Das @ Petu Das @ Lal chand Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
5. Ranjit Das Son of Sovi Das @ Sobhi Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
6. Ganesh Das Son of Modi Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
7. Raghubir Das @ Rabhubir Kumar Son of Vogendra Das @ Bhagendra Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
8. Santoshi Das Son of Sanichar Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
9. Modi Das Son of Jhakaury Das @ Thakuri Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
10. Akhilesh Das @ Akhlesh Das Son of Modi Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
11. Juniar Das @ Sachin Kumar Das Son of Kamod Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
12. Ram Bahadur Das @ Ram Bahadur Son of Maithur Das @ Mathur Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
13. Krishna Das @ Krishna Kumar Das Son of Prabhu Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
14. Bharat Das Son of Chattu Das @Chhotu Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
15. Akshay Kumar @ Akshay Kumar Das Son of Ram Bahadur Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
16. Bindo Das @ Binod Das @ Binod Kumar Das Son of Mahendra Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
17. Mahendra Das Son of Parmeshwar Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
18. Lal Babu Das @ Lal Babu Kumar Son of Jamahir Das @ Jawahir Das @ Jawahar Das Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.
19. Sanjay Das Son of Heman Das. Resident of village- Nikasi, P.S.- Kamtaul, District- Darbhanga.



20. Sunil Das Son of Jhameli Das Resident of village- Nikasi P.S- Kamtaul,
District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. At the outset, learned counsel appearing on
behalf of the petitioners seeks permission to withdraw the
prayer for grant of anticipatory bail to Petitioner No. 10, namely
Akhilesh Das, as during pendency of this case, Petitioner No. 10
has already been arrested and the same has become infructuous.

3. Permission, as prayed for, is accorded.

4. Accordingly, the prayer for grant of anticipatory
bail to Petitioner No. 10 is dismissed as withdrawn.

5. Now, this application for grant of anticipatory
bail is being heard only with regard to the petitioner nos.1 to 9
and 11 to 20.

6. The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 126,
115(2), 118(1), 109, 76, 3(5) of the Bhartiya Nyaya Sanhita.



7. As per the prosecution case, on 14.03.2025 at about 2 PM, when the informant was going to his house, the FIR named accused persons and others started bricks battle upon him from the roof of their house. When Guriya Devi came to rescue him, then Ganesh Das (petitioner no.6) assaulted her with lathi and danda. When other members of the informant's side came to save them, all the accused persons assaulted them by means of several weapons. The informant further alleged that the accused persons assaulted Guriya Devi, due to which she became unconscious, and they also cut his nose by means of a sword.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that on the alleged date of occurrence, the prosecution party brutally assaulted Bikau Das, who is accused no.13 in this case, for which he was admitted in D.M.C.H. Darbhanga, and thereafter, filed a case bearing Kamtaul P.S. Case No.60 of 2025 against the informant of this case and others under Sections 126(2), 115(2), 118(1), 109, 76, 3(5) of the Bhartiya Nyaya



Sanhita. He further submitted that all of them have been granted anticipatory bail in connection with Kamtaul P.S. Case No.60 of 2025, by a co-ordinate Bench of this Court vide order dated 18.06.2025 passed in Cr. Misc. No.36872 of 2025. It is the case of the petitioners that upon examination by the treating doctor the injury of the informant and Guriya Devi has been opined as of simple in nature. Petitioners have no criminal antecedent.

9. Learned APP for the State vehemently opposed the prayer for anticipatory bail.

10. Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 to 9 and 11 to 20, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on 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 C.J.M. Darbhanga/Successor Court in connection with Kamtaul P.S. Case No.59 of 2025 subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Ajit Kumar, J)

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