

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35611 of 2025

Arising Out of PS. Case No.-373 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

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1. Lalita Devi Wife of Bablu Sah Resident of Village- Bhutha, Banbhag, P.S.- K. Nagar, District- Purnea
 2. Nandani Devi D/O- Bablu Sah Resident of Village- Bhutha, Banbhag, P.S.- K. Nagar, District- Purnea
 3. Suraj Sah @ Suraj Kumar Sah Son of Gouri Shankar Sah @ Bhola Shah Resident of Village- Bhutha, Banbhag, P.S.- K. Nagar, District- Purnea
 4. Gouri Shankar Sah @ Bhola Shah Son of Late Ramu Sah Resident of Village- Bhutha, Banbhag, P.S.- K. Nagar, District- Purnea
 5. Chandan Sah @ Chandan Shah Son of Late Ramu Sah Resident of Village- Bhutha, Banbhag, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2025 Heard Mr. Raj Kumar, learned counsel for the petitioners and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with K. Nagar P.S. Case No. 373 of 2021, F.I.R. dated 26.08.2021 registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 427, 379, 504, 506, 509/34 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons came to the informant's house



with sticks, dabiya, iron rod, knife and other weapons and started molesting the females of the house and when the informant's husband and brother-in-law came from outside, petitioners assaulted all of them with dabiya, knife and iron rod due to which the informant's husband incurred head injury and brother-in-law incurred injuries over the leg and hand.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. It appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 22.08.2021 but the present F.I.R. was instituted on 26.08.2021 after delay of four days afterthought only to falsely implicate the petitioners and there is case and counter case between the parties. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is case and counter case between the parties as well as there is no specific allegation against these petitioners rather



there is general and omnibus allegation against all the accused persons including these petitioners, let the petitioners, above named, in the event of their 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Purnea in connection with K. Nagar P.S. Case No. 373 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) 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 bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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