

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37618 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KESARIA District- East Champaran

1. Manish Prasad @ Mahesh Prasad S/o Dhruv Prasad @ Dhuv Prasad R/o vill - Baishakwa, P.S- Keshariya, Dist- East Champaran
2. Birendra Prasad @ Birendra Kumar S/o Hira Sahani R/o vill - Baishakwa, P.S- Keshariya, Dist- East Champaran
3. Sanjeet Sahani S/o Manjeet Sahani R/o vill - Baishakwa, P.S- Keshariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Geeta Kumari, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 189, 126(2), 115(2), 117(2), 76, 109, 352 and 351(2) of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that while she along with her sister and daughter were plucking grass planted on the land which she had taken on lease from Narsingh Rai on 28.01.2024, when the accused persons came and Manish Prasad (petitioner no. 1) assaulted the informant by butt of rifle causing fracture of right hand.



Thereafter, Taj Mohammad assaulted the informant by an iron rod causing fracture of left hand and again assaulted her by rod causing fracture of left leg. Further, Ajay and Birendra Prasad (petitioner no. 2) assaulted the sister of the informant indiscriminately by rod all over her body causing multiple injuries and also torn the clothes of her sister while Sanjeet Sahani (petitioner no. 3) torn the clothes of her daughter.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the FIR, it would manifest that the same has been instituted based on a written application of the informant. It is next submitted that the date of occurrence is 28.12.2024 and the FIR was instituted on 07.01.2025. It is also submitted that had any occurrence of the nature as alleged had taken place in that event the fardbeyan would have been recorded at the hospital but then the FIR came to be instituted based on a written application. It is further submitted that from side of the petitioners also Kesaria P.S. Case No. 425 of 2024 came to be instituted against the informant and others as such the instant false FIR came to be instituted. It is next submitted that parties have compromised the case as would manifest from Annexure-3 to the anticipatory bail



application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kesaria P.S. Case No. 04 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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