

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36465 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- BADHAILA District- Rohtas

-
1. Hira Singh S/o Late Ram Prabesh Singh Resident of Village- Parariya, PS- Baghaila, District- Rohtas
 2. Jawahir Singh S/o Ram Prabesh Singh Resident of Village- Parariya, PS- Baghaila, District- Rohtas
 3. Dharendra Singh @ Dhirednra Kumar Singh S/o Hira Singh Resident of Village- Parariya, PS- Baghaila, District- Rohtas
 4. Kundan Kumar S/o Hira Singh Resident of Village- Parariya, PS- Baghaila, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection with Baghaila P.S. Case No. 119/2024 lodged 01.07.2024, for the offences punishable under sections 191(2), 191(3), 127, 115(2), 117, 303(2), 329(3), 74, 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to the prosecution, the F.I.R. has been lodged against seven named accused persons, including the petitioners, alleging that they all entered the informant's house



and threatened to kill them. The allegations also include the snatching of a gold chain and a mangalsutra.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have been falsely implicated due to prior enmity. The petitioners are adjacent neighbors, and the allegations are general and omnibus. Learned counsel further submits that all the offences are bailable except under Section 303(2) and Section 74 of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.), and that there is no ingredient of Section 74 of the B.N.S. in this case. He also contends that the allegation of theft is merely testimonial. He further submits that petitioners Nos. 1 to 3 are accused in a separate criminal case lodged earlier by the informant, whereas petitioner No. 4 has no criminal antecedents.

5. Learned APP for the State opposes the prayer for bail, submitting that there are allegations of assault.

6. Considering the fact that there is no ingredient of Section 74 of the B.N.S., i.e., assault or use of criminal force with intent to outrage modesty, the above-named petitioners are directed to be released on bail, in the event of their arrest or surrender before the Trial Court, within four weeks from today, upon furnishing a bail bond of ₹30,000/- (Rupees Thirty



Thousand only) each, as provided under Section 2(1)(d) of the Bharatiya Nagrik Suraksha Sanhita, 2023, to the satisfaction of the learned S.D.J.M., Rohtas at Sasaram, in connection with Baghaila P.S. Case No. 119/2024, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

