

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38293 of 2025

Arising Out of PS. Case No.-645 Year-2024 Thana- HILSA District- Nalanda

1. Anuj Prasad @ Aravinda Kumar Son of Satyanarayan Prasad village -Gobarbigaha, P.s -Rajiv Hilsa, Dist- Nalanda
2. Rakesh Kumar son of Lalji Gope village -Gobarbigaha, P.S -Rajiv Hilsa, Dist- Nalanda
3. Bablu Praasad son of Dharmbir Prasad village -Gobarbigaha, P.S -Rajiv Hilsa, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramji Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Ramji Kumar, learned counsel for the petitioners and Mr. Sanjay Kumar Tiwary, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Hilsa P.S. Case No. 645 of 2024, F.I.R. dated 19.10.2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 109, 303(2), 324(4), 351(2) and 352 of BNS and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons have assaulted to the informant with *lohbandi* due to which he sustained injuries.



4. Learned counsel for the petitioners submits that the petitioner no. 1 having clean antecedent, petitioner no. 2 carries one more case other than the present one and petitioner no. 3 carries three more cases other than the present in which petitioner no. 2 and petitioner no. 3 are on bail in the pending matters. He further submits that it appears from the F.I.R. itself that due to admitted land dispute the present occurrence had taken place and there is specific allegation against the petitioner no. 3 namely, Bablu Prasad that he has assaulted to the informant by means of *lohbandi* and thereafter all the accused persons including these petitioners have assaulted to the informant and the informant has received injury but the injury report of the informant (Annexure-2) suggests that the injury is simple in nature.

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

6. Considering the aforesaid facts that due to admitted land dispute, the present occurrence had taken place and the injury inflicted upon the injured person is simple in nature, 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 ACJM 1st, Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 645 of 2024, 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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