

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39622 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- MAINATAND District- West Champaran

1. CHANDRA SHEKHAR PRASAD @ CHANDRA SHEKHAR SAH S/o- Late Raghunath Sah Village- Rampurwa Ps- Mainatand Dist- West Champaran
2. Jai Prakash Sah S/o- Chandra Shekhar Prasad @ Chandra Shekhar SAH Village- Rampurwa Ps- Mainatand Dist- West Champaran
3. Ramesh Kumar S/o- Chandra Shekhar Prasad @ Chandra Shekhar Sah Village- Rampurwa Ps- Mainatand Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Mainatand P.S. Case No. 217 of 2024 lodged on 27.11.2024, for the offence punishable under Sections 191(2), 190, 115(2), 126(2), 117(2) & 109 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioners against whom there is an allegation that they have assaulted the informant's father by lathi and spear due to disputed land and in result, informant's father sustained injury on his head and arm.



The accused persons also assaulted the informant and his brother and they were also injured.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that both the parties are agnates of each other and land dispute is going on between them. Counsel also submits that for the same date and place of occurrence, there is a case and counter case i.e. one case has been lodged from the petitioners' side against the informant and others bearing Mainatand P.S. Case No. 218 of 2024 and the present case has been lodged from the informant's side bearing Mainatand P.S. Case No. 217 of 2024. Counsel submits that in both the FIRs, land dispute has been indicated and scuffling took place from both the sides and injuries have been caused to both the sides and land dispute case no.1148 of 2023 registered under sections 45 and 107 is pending in Narkatiyaganj Sub-Divisional Court. Counsel further submits that the petitioners have one criminal antecedent in which they are on bail and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that for the same date and place of occurrence, there is a case and counter case between the



parties which is annexed as Annexures-P/1 and P/2.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 217 of 2024, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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