

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39387 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- NAUTAN District- West Champaran

1. Mina Devi @ Meena Devi Wife of Jang Bahadur Sah R/O Vill- Nautan Sheikh Toli, Ward No. 12, P.S.- Nautan District- West Champaran
 2. Sheela Devi Wife of Suresh sah R/O Vill- Nautan Sheikh Toli, Ward No. 12, P.S.- Nautan District- West Champaran
 3. Anita Devi W/O Krishna Sah R/O Vill- Nautan Sheikh Toli, Ward No. 12, P.S.- Nautan District- West Champaran
 4. Krishna Sah Son of Late Chandrika Sah R/O Vill- Nautan Sheikh Toli, Ward No. 12, P.S.- Nautan District- West Champaran
 5. Mithilesh Kumar @ Mithilesh Sah Won of Jang Bahadur Sah R/O Vill- Nautan Sheikh Toli, Ward No. 12, P.S.- Nautan District- West Champaran
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-07-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Nautan Police Station Case No. 378 of 2024, disclosing offences under Sections 126(2), 115(2), 118, 109, 303(2), 3(5) of the BNS, 2023.

3. As per the FIR, on 02.10.2024, at about 4 pm, while the informant was returning from her field, her co-sharers petitioner Nos. 5 and others started making a video from their mobile, and when she objected, both of them abused her, and due to previous dispute, Mithilesh Kumar, petitioner No. 5,



attacked her with iron rod on her head due to which she sustained injury. It has further been alleged that petitioners and other accused persons attacked Binod Sah with lathi on his head, due to which he sustained head injury. The reason behind the occurrence is land dispute.

4. Learned counsel for the petitioners submits that the petitioners and the informant are co-sharers/agnates having long-standing land dispute. A case and counter case has been lodged by both the parties and from the side of the petitioners, a case has been lodged bearing Nautan P.S. Case No. 377 of 2024 which is prior in time to the present FIR. The injuries sustained by the victims are simple in nature except the injury caused to Binod Sah which is grievous but the same is not attributable specifically to the petitioners and the allegation is that all the accused persons assaulted Binod Sah. Learned counsel next submits that at the time of moving the first anticipatory bail on behalf of petitioner Nos. 2 to 5 which was rejected on 21.02.2025, the compromise between the parties had not taken place and after the compromise was taken place and a joint compromise petition was filed on 02.04.2025, the second anticipatory bail was filed by the petitioner Nos. 2 to 5. The compromise petition has been annexed at Annexure 4.



5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of dispute and the fact that both the parties are agnates, case and counter case is there, the victims sustained simple injury except one Binod Sah who sustained grievous injury but the allegation against the petitioners and others are general and omnibus in nature, accordingly, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan Police Station Case No. 378 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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