

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38954 of 2025

Arising Out of PS. Case No.-98 Year-2024 Thana- BAGHA District- West Champaran

1. Moti Chand Chaurasia Son of Sitaram Chaurasia R/o Vill - Pandariya P.S - Inrwa, Distt.-West Champaran
2. Rajendra Das Son of Gaya Das R/o Vill - Jabdi P.S - Bhangha, Distt.-West Champaran
3. Buna Das @ Bunna Das Son of Gaya Das R/o Vill - Jabdi, P.S - Bhangha, Distt.-West Champaran
4. Harilal Ram @ Heera Lal Ram Son of Boga Ram R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
5. Bharat Raut @ Bharat Patel Son of Ramayash Raut R/o Vill - Shahpur Parsauni, P.S - Inrwa, Distt.-West Champaran
6. Laxman Manjhi Son of Chhatu Manjhi R/o Vill - Shahpur Parsauni, P.S - Inrwa, Distt.-West Champaran
7. Hari Manjhi @ Jari Manjhi Son of Chhatu Manjhi R/o Vill - Shahpur Parsauni, P.S - Inrwa, Distt.-West Champaran
8. Gorakh Paswan Son of Poshan Paswan R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
9. Kariman Paswan Son of Poshan Paswan R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
10. Kamal Ram Son of Vriksha Ram R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
11. Laxman Ram Son of Prasad Ram R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
12. Ramayan Hajara @ Ramayan Ram Son of Raghubir Hajara R/o Vill - Jhanjhri, P.S - Inrwa, Distt.-West Champaran
13. Laxmi Sah Son of Rajadev Sah R/o Vill - Jhumaka, P.S - Inrwa, Distt.-West Champaran
14. Nand Kishore Paswan Son of Raghunath Paswan R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
15. Rita Kunwar Wife of Bhola Sah R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
16. Ramchand Mahto Son of Chokat Mahto R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
17. Chunni Lal @ Chunnilal Sah Son of Rajdev Sah R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
18. Prahalad Sah Son of Vindhyachal Sah R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
19. Yogendra Paswan @ Yogindra Paswan Son of Bhulan Paswan R/o Vill - Jhumaka P.S - Inrwa, Distt.-West Champaran
20. Nanahi Sah @ Heera Sah Son of Nathuni Sah R/o Vill - Jhumaka P.S -



Inrwa, Distt.-West Champaran

21. Bacha Paswan @ Ashok Hazara Son of Chalitar Hajra R/o Vill - Jabdi, P.S -
Bhangha, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate
For the State : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 15-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the
petitioners, apprehending their arrest, in connection with
Bhangaha P.S. Case No. 98 of 2024 dated 16.11.2024, registered
for the offences punishable under Sections 115(2), 118, 117(2),
109, 126(2), 191(2), 190, 308(2), 352, 351(2), 119(1), 61(2) and
303(2) of B.N.S., 2023.

3. As per allegation, the occurrence had taken place
in regard to land, belonging to Shree Satyanarayan Bhagwan
Temple, Narkatiyaganj and Shree Sundarmal Jhunjhunwala
Dharamsala. As per further case of the prosecution, when the
persons authorized on behalf of the Temple and Dharamsala
went on the land in question for its cultivation, all the 38
accused persons, including the petitioners, assembled there and



assaulted the informant and five other persons.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that all the petitioners are belong to landless class and they are settled on the land and as a matter of fact, the informant and other persons went on the land to forcibly evict the accused persons and hence, altercation took place in which both the sides got injury and case and counter case have been filed. The counter case filed by the petitioners' side is Bhangaha P.S. Case No. 99 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner Nos. 1, 3, 5, 7, 8, 9, 10, 11, 12, 14, 18, 19, 20 and 21 have no criminal antecedents, whereas petitioner Nos. 2, 6, 13, 15 and 16 have one criminal antecedents and petitioner Nos. 4 and 17 have two criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the submissions of the parties and



nature of allegation, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Bhangaha P.S. Case No. 98 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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