

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39018 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- CHENARI District- Rohtas

Tejbahadur Ram S/o Gauri Shankar Ram Resident of Village- Ram Kekai,
P.S.- Shivsagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-06-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend his arrest in connection with Chenari P.S. Case No.412 of 2024 lodged on 16.12.2024, for the offences punishable under Sections 191(2), 115(2), 109(1), 352, 351(2) of the BNS Act, 2023.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the petitioner with allegation that they have assaulted the informant by rod on the head and body for which treatment of the informant is going on.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that there is nothing specific against the petitioner and whatever in the FIR, it is against the other accused and not against the petitioner.

5. Counsel further submits that for the same date and place of occurrence, there is case and counter-case lodged from both the sides. The informant has lodged case i.e., Chenari P.S. Case No.412 of 2024 (present case) and the petitioner has lodged case i.e., Chenari P.S. Case No.414 of 2024.

6. Counsel submits that the criminal antecedent of the petitioner is clean. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

7. Learned APP for the State opposes the prayer for bail and submits that the petitioner is named in the F.I.R. and there is case and counter-case from both side.

8. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within



4 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

10. It is made clear that the Court shall acknowledge that for the same date and place of occurrence, there is case and counter-case exist between the parties.

(Dr. Anshuman, J.)

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