

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43881 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- KATIHAR NAGAR District- Katihar

1. Rohit Chouhan @ Rohit Kumar Son of Kanhai Chouhan Resident of Buddhuchak, Ward No. 07, P.S.- Sahayak, Distt.- Katihar
2. Sangita Devi @ Mangali Devi Wife of Chhotu Chouhan Resident of Buddhuchak, Ward No. 07, P.S.- Sahayak, Distt.- Katihar
3. Kanhai Chouhan Son of Late Kesho Chouhan Resident of Buddhuchak, Ward No. 07, P.S.- Sahayak, Distt.- Katihar
4. Dilip Chouhan Son of Kanhai Chouhan Resident of Buddhuchak, Ward No. 07, P.S.- Sahayak, Distt.- Katihar
5. Munilal Chouhan Son of Kanhai Chouhan Resident of Buddhuchak, Ward No. 07, P.S.- Sahayak, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard Learned Counsel for the petitioners 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 petitioners who apprehend their arrest in connection with Katihar Nagar P.S. Case No.175 of 2025 lodged on 24.02.2025, for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 76,



303(2), 351(2), 351(3), 352 and 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against the eight named accused persons including the petitioners with allegation that the accused persons have assaulted the informant with iron rod due to which injury has been caused.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners have been falsely implicated in the present case. He further submits that due to local politics and the ulterior motive, the petitioners' name have come in this case.

5. Counsel submits that the criminal antecedent of the petitioners is clean.

6. Learned APP for the State opposes the prayer for bail and submits that the petitioners are named in the F.I.R. and there is specific allegation of assault against the petitioners.

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

8. However, trial court is directed to consider the regular bail application of the petitioners, if they surrender within 4 weeks from today and pray for regular bail, then trial



court shall pass order on the basis of material available on record, without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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