

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41868 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- BANDHUWA KURAWA District- Banka

1. Binod Tanti @ Binod Kumar Tanti S/O Doman Tanti R/O Village- Charkapathar, P.S- Saraiyahat, Distt.- Dumka (Jharkhand).
2. Kumod Tanti S/O Doman Tanti R/O Village- Baratand, P.S- Bandhuwa Kurawa, Dist.- Banka (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Pratap Singh, Adv.

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Bandhuwa Kuraba P.S. Case No. 94 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that due to previous dispute, the accused persons including the petitioners assaulted the informant and informant's father by means of spade. It is alleged that when the informant intervened in rescue, they assaulted him.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case on account of land dispute. The petitioners were neither apprehended on spot nor anything incriminating has been recovered from their conscious possession. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that the medical report lacks clarity on the point of nature of weapon used and fails to connect injuries specifically to any of the petitioners. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioners further submits that the co-accused Doman Tanti has been granted regular bail by this Court vide order dated 07.04.2025 passed in Cr. Misc. No. 789 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners, stating that the offence alleged against the petitioners is serious in nature. He further



submits that the injury sustained by injured Buddhan Tanti upon his head is grievous in nature.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case and keeping in view the nature of allegation and gravity of the offence, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioners, above named, is rejected. If the petitioners surrender before the court below within a period of six weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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