

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42917 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- GUTHANI District- Siwan

1. Abhimanyu Choudhary S/O Late Ram Naresh Choudhary Resident of vill.- Bihari Buzurg, P.S.- Guthni, Dist.- Siwan
2. Angad Choudhary S/O Abhimanyu Choudhary Resident of vill.- Bihari Buzurg, P.S.- Guthni, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 117(2), 118, 109, 352, 351(2) and 3(5) B.N.S.S.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the petitioner no.1 is a senior citizen aged about 65 years. It is further submitted that petitioner no.1 all through out has remained a person with clean antecedent and all of a sudden has been made a criminal after institution of the instant FIR. The learned



counsel next submits that informant alleges that Pankaj had parked his tractor in front of his house and had encroached the land for several days, on account of which, the informant asked him to remove the tractor, thereafter Pankaj assaulted him by sharp edged weapon causing injury, further Angad, Abhimanyu and Pankaj assaulted by farsha, rod, kudal indiscriminately causing nose, hand and head, on alarm, his son came, when Pankaj assaulted him but hit the informant by kudal causing injury on nose, thereafter, Angad assaulted his son by rod causing injury on his head, leg and chest.

4. The learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place. It is next submitted that the thrust of the allegation is against Pankaj, who is alleged to have assaulted the informant by a sharp edged weapon causing injury on nose which has been opined to be grievous. It is next submitted that as far as these petitioners are concerned, the allegation of assault against them is general and omnibus in nature. It is also submitted that since informant was having dispute with Pankaj as such his family members have been implicated. It is also submitted that the injury suffered by Rohit is opined to be



simple in nature.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the thrust of the allegation of assault is against Pankaj.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Guthni P.S. Case No.100/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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