

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44015 of 2025

Arising Out of PS. Case No.-54 Year-2024 Thana- SAMHO District- Begusarai

1. Mulki Bhagat @ Mullo Bhagat @ Bhullo Bhagat Son of Late Bhola Bhagat @ Bhola Bhagat Village- Salha Bind Toli PS -Shambo (Samho) District- Begusarai
2. Bajrangee Vind @ Bajrangi Bind son of Shanichar Bind @ Sanichar Bind Village- Salha Bind Toli PS -Shambo (Samho) District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Shambo (Samho) P.S. Case No. 54 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 303(2), 118(1) of the Bharatiya Nyaya Sanhita..

3. The prosecution case, in brief, is that on 11.11.2024 at about 2:30 PM, when informant was going to his field for ploughing, on tractor loaded with fertilizer and seeds, on the way, 100 persons including these petitioners surrounded him and looted the seeds and fertilizers and assaulted him. In the meantime, when Gauri Shankar Singh and Rohit Kumar came to save informant, all the accused persons which were 36 in



number assaulted them as a result of which three persons sustained injuries.

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 due to previous land dispute. The petitioners have not committed any offence as alleged in the F.I.R. The specific accusation of assault is against co-accused Bilat Bind. So far, these petitioners are concerned, there is general and omnibus allegation against them. It is a case of mob attack and petitioners are only member of the mob with general and omnibus allegation of assault. He further submits that the injury sustained by Rohit Kumar and Gauri Shankar Singh is simple in nature caused by hard and blunt substance. The petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent in which he is on bail. Learned counsel for the petitioners further submits that the co-accused persons have already been granted anticipatory bail vide order dated 30.04.2025 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 24079 of 2025. Co-accused persons have also been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 15.05.2025 passed in Cr. Misc. No.



31762 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature. The petitioners are named in the F.I.R. and, hence, they do not deserve privilege of anticipatory bail.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners as also the prayer for grant of anticipatory bail being based on parity, let 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 the learned court below where the case is pending/successor court in connection with Shambo (Samho) P.S. Case No. 54 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

(Rudra Prakash Mishra, J)

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