

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47142 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- RATANPUR District- Supaul

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1. Rajesh Mehta Son of Sukhdev Mehta Resident of village - Lalmanpatti, Ward No. 14, Police Station - Ratanpura, District - Supaul
 2. Sunil Kumar Mehta son of Pramod Mehta Resident of village - Lalmanpatti, Ward No. 14, Police Station - Ratanpura, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 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 ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Ratanpura P.S. Case No. 80 of 2024, lodged on 05.12.2024, under Sections 191(2)/ 190/ 126(2) /115(2) / 118(1)/117/109/303(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against ten named accused persons including the present petitioners having allegation that they have assaulted on the head of the



informant due to which injury has been caused.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that for the same date and place of occurrence there is case and counter case from both the sides. He also submits that the land dispute exists between them. They are the co-villager and belong to same Tola, copy of the sale deed is also attached due to which the dispute has arisen between both families. Learned Counsel submits that the case and counter case is there. One criminal has been filed by the informant side bearing Ratanpura P.S. Case No.80 of 2024 and one case has been filed by the petitioners' side bearing Ratanpura P.S. Case No.81 of 2024. He submits that injury has been caused from both sides. He further submits that there are two antecedents of the petitioners, the first in one case the petitioner has been acquitted and in another case which is counter case of the present case. Learned Counsel submits that injury has been caused from both the sides and injury as shown is simple in nature in the present case. He submits that the case-diary may be called for.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the rejection order



it has been acknowledged that the injuries were on the head though they were found simple in nature.

6. In the present facts and circumstances of this case, let petitioner No.2, Sunil Kumar Mehta, be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of S.D.J.M. Birpur, Supaul, in connection with Ratanpura P.S. Case No. 80 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. Considering the nature of allegation against petitioner No.1, namely, Rajesh Mehta, this Court is not inclined to grant anticipatory bail to him. Hence, the anticipatory bail application of petitioner No.1 is refused. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered by the Trial Court on its own merit, particularly, the injury is simple and there is case and counter case, on the same day, without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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