

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48066 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- SAHPUR District- Bhojpur

1. Sudarshan Bind @ Sudarshan Bin son of Dhanu Bind Resident Of Village- Patkhauri Hariharpur Police Station -Shahpur District -Bhojpur
2. Anil Bind son of Sudarshan bind Resident Of Village- Patkhauri Hariharpur Police Station -Shahpur District -Bhojpur
3. Sunil Bind @ Sunil Kumar son of Sudarshan Bind Resident Of Village- Patkhauri Hariharpur Police Station -Shahpur District -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Niraj Kumar Singh, Advocate
For the State	:	Md. Mushtaque Alam, APP
For the Informant	:	Mr. Shiv Prasad Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-12-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and 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), 118(2), 109, 352, 351(2), 3(5) and 103(1) of the B.N.S..

3. The prosecution case, in brief, is that on the alleged date and time of occurrence, these petitioners, along with other accused persons, assaulted the uncle of the informant, namely Ajay Bind, by means of *lathi*, sword and knife with an intention to kill as a result of which, Ajay Bind fell down. It is further



alleged that when the informant, Nitesh and others came to rescue, they were also assaulted by the accused persons. The uncle of informant died during course of treatment.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. F.I.R. stands falsified by the *post mortem* report. As per F.I.R., altogether, 15 named accused persons and 4 to 5 unknown persons assaulted the deceased by means of *lathi* and *danda*, however, in the *post mortem* report, doctor has found only one injury on the body of the deceased, which itself falsifies the entire prosecution case. There is case and counter-case. Moreover, similarly situated co-accused person, namely Jairam Bind, has already granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 20.08.2025 passed in Cr. Misc. No. 52975 of 2025. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the



case, general and omnibus nature of accusation, case and counter-case, claim based on parity and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Ara, Bhojpur in connection with Sahpur P.S. Case No. 63 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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