

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49075 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- RIGA District- Sitamarhi

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1. Shivshankar Ram S/O Ram Shrestha Ram R/O Resident of Village- Panchoar, Riga, P.S- Riga, District- Sitamarhi.
 2. Guddu Kumar S/O Shiv Shankar Ram R/O Resident of Village- Panchoar, Riga, P.S- Riga, District- Sitamarhi.
 3. Bhikau Ram @ Bikau Ram S/O Ram Shrestha Ram R/O Resident of Village- Panchoar, Riga, P.S- Riga, District- Sitamarhi.
 4. Shail Devi W/O Bhikau Ram R/O Resident of Village- Panchoar, Riga, P.S- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-08-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Riga Police Station Case No. 97 of 2025, dated 11.03.2025, disclosing offences punishable under Sections 126(2)/115(2)/118(1)/109/117(2)/303(2)/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 01.03.2025, while the informant, namely, Rohit Kumar, was returning back to his home after closing his



fruit shop, he was stopped by the petitioners and others, who were armed with lathi, danda, iron rod. The co-accused Sunil Kumar Ranjan assaulted on the head of the informant and when the informant fell down, the petitioners and other accused persons assaulted him by lathi, danda and iron rod. When the maternal brother of the informant intervened, the petitioner no. 4 assaulted him with rod, due to which he sustained fracture injury in his right hand.

4. Learned Counsel for the petitioners submits that the allegation against the petitioners is false and fabricated and there is delay of two days in lodging the present First Information Report. The allegation against the petitioners is general and omnibus in nature and the specific allegation of assault is upon co-accused Sunil Kumar Ranjan. The present First Information Report has been lodged as counter blast to the First Information Report lodged by the side of the petitioners, namely, co-accused Sunil Kumar Ranjan, bearing Riga Police Station Case No. 82 of 2025, which is prior in time to the present First Information Report. He further submits that no injury report has been brought on record by the prosecution.



5. The anticipatory bail application of the petitioners was dismissed by the learned 15th Additional Sessions Judge, Sitamarhi, in A.B.P. No. 369 of 2025. However, the second anticipatory bail application was filed, having A.B.P. No. 754 of 2025, on behalf of the petitioners on the fresh ground of compromise between the parties. Since, there was personal dispute between the parties, therefore, the second anticipatory bail application was filed on the ground of fresh development of compromise between the parties.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that case and counter case is there, the case lodged by the side of the petitioners is prior in time and the injury report has not been brought on record by the prosecution, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each



with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VI, Sitamarhi, in connection with Riga Police Station Case No. 97 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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