

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52755 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- CHENARI District- Rohtas

1. Chunu Gupta @ Jai Prakash Sah S/o Dhodha Sah @ Dodha Halwai Residents of Village- Chenari, PS- Chenari, District- Rohtas
2. Mannu Gupta @ Mannu Sah @ Munnu Gupta S/o Dhodha Sah @ Dodha Halwai Residents of Village- Chenari, PS- Chenari, District- Rohtas
3. Mutun Gupta @ Tubhu Sah @ Motun Sah @ Muntun Gupta @ Muntun Sah S/o Dhodha Sah @ Dodha Halwai Residents of Village- Chenari, PS- Chenari, District- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Adv.

For the State : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Chenari P.S. Case No. 354 of 2024 registered for the offences punishable under Sections 191(2), 190, 115(2), 118(2), 109(1), 303(2), 352, 351(2) of B.N.S.

3. As per prosecution case, petitioners and other having formed an assembly entered into the shop of the



informant and took articles of shop and they began to assault. It is alleged that on the exhortation of co-accused Ramdayal Pal, co-accused Ramdhani Pal assaulted Manoj Paswan by means of gadasa as a result of which he sustained injury on the head. It is further alleged that on the exhortation of petitioner no. 1, 2 and other, co-accused Kundan Kumar Gupta assaulted Anshu Goswami and Santosh Goswami by means of iron rod due to which they sustained injury on the head. It is further alleged that co-accused Kundan Kumar Gupta took Rs. 20,000/- It is further alleged that co-accused Kanhaiya Gupta and Govind Gupta attacked with sword resulting chopping of the finger of leg.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Learned counsel further submits that from perusal of the FIR it is clear that petitioner no. 1 and 2 are merely an order giver and there is no specific allegation of assault against them. He further submits that there is no specific allegation of assault against petitioner no. 3 rather the same is general and omnibus in nature. He further submits that all the injured persons have sustained simple injury, as mentioned in the impugned order. Petitioners bear criminal antecedent of one case in which they



are on bail. It has been orally submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, there is no specific allegation of assault against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sasaram, Rohtas in connection with Chenari P.S. Case No. 354 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation,



in that event, the learned trial court shall be at liberty to cancel
the bail bonds of the petitioners.

(Alok Kumar Pandey, J)

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