

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50507 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- ATHMALGOLA District- Patna

1. Nitish Kumar S/o- Surender Yadav village- Thamhawan P.S- Athmalgola District- Patna
2. Satish Kumar S/o- Ram Khelawan Yadav village- Thamhawan P.S- Athmalgola District- Patna
3. Rajeev Kumar @ Manish Kumar S/o- Lutan Yadav village- Thamhawan P.S- Athmalgola District- Patna
4. Ravi Shankar Kumar @ Gannu Kumar S/o- Sahendra Yadav village- Thamhawan P.S- Athmalgola District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Manoj Kumar Pandey, learned counsel appearing on behalf of the petitioners and Mr. Satyendra Narayan Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Athmalgola P.S. Case No. 173 of 2025 registered under Sections 191(2), 191(3), 190, 127(2), 308(5), 352, 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 and 27 of the Arms Act, 1959.

3. As per the allegation made in the FIR, the petitioners along with other accused persons demanded ransom



from the informant and due to non-fulfillment of the same, allegedly, they assaulted the informant and some other persons.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners being the villagers raised objection against the informant, who is a contractor of *Nal-Jal Yojna*, for not maintaining the standard in execution of the said *Yojna*. A general and omnibus allegation has been leveled against the petitioners. The allegation of demand of ransom against the petitioners is false and on the basis of this false accusation, the petitioners have been named in the present FIR. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioners, being the villagers, raised objection against the informant, who is the contractor of *Nal-Jal Yojna*, for not maintaining the standard in execution of the said *Yojna*, a general and omnibus allegation has been leveled against the petitioners. The accusation of demand of ransom against the petitioners, also appears to be imaginary in absence of any transaction, I am of the opinion that



the petitioners have, *prima facie*, made out a case to be released on anticipatory bail

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 173 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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