

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49609 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- NANIJOR District- Buxar

1. Dhanji Ram @ Dhanaba Ram S/O Late Sudama Ram R/O Village- Badki Nanijor, P.S- Nanijor, Distt.- Buxar, Bihar.
2. Harendra Ram S/O Late Sudama Ram R/O Village- Badki Nanijor, P.S- Nanijor, Distt.- Buxar, Bihar.
3. Rajesh Yadav S/O Ramchandra Yadav R/O Village- Badki Nanijor, P.S- Nanijor, Distt.- Buxar, Bihar.
4. Piyush Kumar Yadav @ Munna Kumar Yadav @ Munna Yadav S/O Surendra Yadav R/O Village- Badki Nanijor, P.S- Nanijor, Distt.- Buxar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rabish Kumar, Advocate
		Mr. Adarsh Kumar, Advocate
For the State	:	Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 352, 109(1) and 303(2) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, on 28.10.2024 at around 1 PM, informant received information that the accused persons are forcibly cultivating his *Rayyati* land. Upon receiving information, informant along with others went to the spot and



found that all the F.I.R. named accused persons, including these petitioners and 15 to 20 unknown persons are forcibly cultivating his land and upon protest, all of them abused and assaulted informant and others. It is further alleged that the accused persons also snatched away their licensed riffle and double barrel gun.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As per F.I.R., the date of alleged occurrence is 28.10.2024 whereas the present F.I.R. has been lodged after inordinate delay of 10 days on 06.11.2024 and there is no plausible explanation for the delay which itself makes the entire prosecution case doubtful. As a matter of fact, the present case is counter-blast of Nanijor P.S. Case No. 15 of 2024 which was lodged earlier in point of time by co-accused Ramchandra Yadav against informant and others and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioner Nos. 1, 2 and 4 have got no criminal antecedents and Petitioner No. 3 has got one criminal antecedent in which he is already on bail.



5. Learned A.P.P. for the State has 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 and case and counter-case between the parties, 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 J.M.F.C., Buxar in connection with Nanijor P.S. Case No. 16 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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