

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50851 of 2025**

Arising Out of PS. Case No.-114 Year-2025 Thana- BIND District- Nalanda

1. Rupesh Kumar S/O Bipin Raut R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.
2. Bittu Kumar @ Bittu Raut S/O Late Ravi Raut R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.
3. Pawan Kumar @ Abhay Raj S/O Bipin Raut R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.
4. Himanshu Kumar S/O Ramasharay Prasad R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.
5. Sudhansu Kumar S/O Ramasharay Prasad R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.
6. Sill @ Sillu Raut S/O Rajindra Raut R/O Village- Sadarpur (Govindpur), P.S- Bind, Distt.- Nalanda, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gaurav Kumar Verma, Advocate  
For the Opposite Party/s : Mrs. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      12-08-2025                      Heard Learned Counsel for the petitioners and  
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Bind P.S. Case No. 114 of 2025, lodged on 19.05.2025, under Sections 126(2)/115(2)/109/125/352/3(5) of



the Bhartiya Nyay Sanhita, 2023, pending in the Court of J.M.F.C.-XIII, Bihar Sharif, Nalanda.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioners with allegation that in the morning at about 9:55 AM, accused persons have called the informant near his house for conciliation. When the informant's sons and nephew reached at the house of the named accused persons, they started assaulting by lathi and bricks to the sons and nephew of the informant, due to which injury has been caused.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that for the same date and place of occurrence earlier case had been lodged by the petitioners' side against the informant's side which is Bind P.S. Case No.113 of 2025 in which time of occurrence has been shown as 9:00 AM whereas the present case has been filed by the accused persons of the earlier case has been Bind P.S. Case No.114 of 2025. Counsel submits that both petitioners and informant are well known to each other and land dispute is there. Counsel submits that when the informant received information that FIR has been lodged at 9:00 AM thereafter they have filed the present false case at 1:30



PM before the police station on the same day. Learned Counsel for the petitioners submits that antecedent of the petitioners are clean and allegation are general and omnibus in nature. He submits that even on merit, specific allegation has been made against Rupesh Kumar (petitioner No.1) and Sudhansu Kumar (petitioner No.5) but those injuries are simple in nature.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is case and counter case and antecedents of the petitioners are clean but he submits that specific allegation of assault is there against Rupesh Kumar and Sudhansu Kumar.

6. In the present facts and circumstances of this case, let the above named petitioner Nos.2, 3, 4 and 6 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate, 1<sup>st</sup> Class, XIII, Bihar Sharif, Nalanda, in connection with Bind P.S. Case No. 114 of 2025 subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. So far as petitioner Nos.1 and 5 are concerned,



considering the fact that there are direct allegation of assault against petitioner Nos.1 and 5, this Court is not inclined to grant anticipatory bail to them. Hence, anticipatory bail application of petitioner Nos. 1 and 5 is hereby rejected.

(Dr. Anshuman, J)

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