

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50842 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- CHANDI District- Bhojpur

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1. Harendra Kumar S/O Ramendra Singh Resident of Village- Roopechakiya, P.S- Chandi, Distt.- Bhojpur.
 2. Sonu Kumar S/O Ramendra Singh Resident of Village- Roopechakiya, P.S- Chandi, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 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 Chandi P.S. Case No. 67 of 2025, lodged on 18.04.2025, under Sections 191(2)/191(3) /190 /126(2) / 115(2)/109/117(2)/324(4)/125(a)/352/351(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 18 named accused persons including the present petitioners



against whom there is allegation that they all with duly arm started abusing the informant and when informant came outside, they had assaulted to the informant with iron rod, lathi, danda etc. The vehicle of the informant was also damaged. Cause of dispute has been mentioned that accused Ashok Kumar had kept Rs.30,000/- due to which the present dispute has arisen.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that there is absolutely no allegation against the petitioners and unnecessarily 18 persons were made accused whosoever related with the family of the accused. Counsel submits that for the same date and place of occurrence there are case and counter case. The informant lodged Chandi P. S. Case No.67 of 2025 whereas the petitioners' side lodged Chandi P.S.Case No.68 of 2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that there is case and counter case from both the sides. He submits that petitioner No.1 may have no allegation but allegation against petitioner No.2 that he had assaulted by desi Katta due to which left hand had broken.

6. Considering the allegation of firing gun shot



against petitioner No.2, this Court is not inclined to grant anticipatory bail to petitioner No.2. Hence, the prayer for anticipatory bail of petitioner No.2 is hereby refused. However, in the event of surrender of the petitioner within six weeks from today, the prayer for regular bail shall be considered on its own merit on the same day without being prejudiced by the order of this Court.

7. So far as petitioner No.1 is concerned, considering the fact that petitioner No.1 has no specific allegation, let petitioner No.1 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) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara, in connection with Chandi P.S. Case No. 67 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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