

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53085 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- KESARIA District- East Champaran

1. Kashinath Prasad @ Kashinath Sah @ Kashi Nath Prasad S/o Late Yodha Sah Resident of Village- Rajpur, PS- Kesariya, District- East Champaran
2. Laxmi Devi W/o Kashinath Prasad @ Kashinath Sah @ Kashi Nath Prasad Resident of Village- Rajpur, PS- Kesariya, District- East Champaran
3. Kiran Devi W/o Arun Prasad Resident of Village- Rajpur, PS- Kesariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 10.03.2024 at about 9 AM, all the F.I.R. named accused persons including petitioners assaulted father of informant during *panchayati*, which was convened to resolve the dispute between the parties. It is further alleged that on the order of petitioner no. 1 & 2, co-accused Arun Prasad and Kamlesh Prasad assaulted father of informant



with iron rod causing injury on his head and co-accused Kundan Prasad assaulted informant with *lathi* and thereafter, petitioner no. 3 snatched gold chain from the neck of informant worth Rs. 80,000/-.

4. Learned counsel for the petitioners submits that from bare perusal of F.I.R., it is apparent that both parties are *pattidars* and due to land dispute, a simple *Maarpeet* took place. Specific accusation of assault is against other co-accused persons. So far as these petitioners are concerned, there is general and omnibus allegation and there is no specific allegation of overt act against them. Police, after investigation, submitted final form and petitioners were not sent up for trial. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran at Motihari /concerned Court in connection with



Keshariya P.S. Case No. 71 of 2024, subject to condition as laid
down under Section 438(2) of the Cr.P.C. / Section 482(2) of the
B.N.S.S.

(Prabhat Kumar Singh, J)

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