

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52753 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- ANDHRATHARHI District- Madhubani

Radha Devi W/o Shambhu Saday R/o Village- Madna, ward no.9, PS- Andhratharhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52879 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- ANDHRATHARHI District- Madhubani

Indradev Sadai @ Inar Dev Saday @ Innar Devi Son of Fekan Saday Village- Madna Dhokra Tol, Ward no. 9, PS- Andhratharhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52753 of 2025)

For the Petitioner/s : Ms. Akansha Verma, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

(In CRIMINAL MISCELLANEOUS No. 52879 of 2025)

For the Petitioner/s : Ms. Akansha Verma, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-07-2025 Heard Ms. Akansha Verma, learned counsel for the

petitioners and Mr, Rajendra Prasad Nat, learned APP for the

State.

2. The petitioners are apprehending their arrest in
connection with Andhratharhi P.S. Case No. 147 of 2024, F.I.R.
dated 23.10.2024 registered for the offences punishable under



Sections 191(2), 191(3), 190, 126(2), 115(2), 132, 324, 109, 121(1), 121(2), 352, 351(2) of BNS, 2023.

3. The prosecution case, in brief, is that the local citizens were creating obstacles in the construction work of WPU and when the Block Cooperative Officer with his officers went on the spot then twenty to twenty-five women were sitting there with knob stick in their hand and ten to twelve men were sitting sideline of the road. According to the Choukidar, he knew that approx twenty men and unknown were creating obstacles in WPU work. When he and with his officers try to explain them that this WPU construction was on government land so do not create obstacles then they started stone plating to all the officers that caused injury to the Lady Officer S.I. Lovely Kumari.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. Although, the petitioners are named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against these petitioners and petitioners have been made accused on the basis of suspicion and except suspicion, no other cogent material has come during investigation to suggest



the involvement of the petitioners in the present occurrence. He further submits that similarly situated co-accused persons namely Vindey Saday @ Binde Saday and others have been granted the privilege of anticipatory bail by this Court vide order dated 23.06.2025 passed in Cr. Misc. No. 38336 of 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt act attributed against these petitioners as well as similarly situated co-accused persons have been granted the privilege of anticipatory bail by this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur District- Madhubani in connection with Andhratharhi P.S. Case No. 147 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023



and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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