

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64065 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- CHHATAPUR District- Supaul

Navindra Jha @ Navin Jha S/o- Kamal Kant Jha Village- Chakla Darharia P.s.
Chhatapur District-Supaul State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Jha, Adv.
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP
For the Informant	:	Mr. Ajay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 11-09-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 126(2), 115(2), 118(1), 109(1), 308(3), 303(2), 352 and 351(2) of the BNS, 2023.
3. Learned counsel appearing on behalf of the petitioner submits that petitioner has antecedent of six cases, but then all the six cases have been instituted by the side of the informant on account of land dispute.
4. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that Raj



Kumar Yadav along with Mukesh caught the informant and assaulted him with fist, subsequently the other accused persons assaulted the informant with sword, *lathi* and an iron rod on account of which informant sustained injuries, thereafter Mukesh snatched Rs. 7,000/- from the informant.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that no specific allegation of assault is alleged against the petitioner. It is further submitted that FIR was instituted on 09.09.2024, but then petitioner was not aware of the same and the moment the petitioner came to know about his implication in the instant case, he approached the learned District Court seeking anticipatory bail by filing ABA No. 555 of 2025. It is submitted that ABA No. 555 of 2025 came to be rejected by the learned District & Additional Sessions Judge-V, Supaul by an order dated 10.06.2025. It is further submitted that thereafter the petitioner, after obtaining the certified copy of all the relevant documents, filed the instant anticipatory bail application on 18.07.2025, but then in the meantime, process under Section 82 Cr.P.C. was issued against the petitioner on 02.07.2025.



6. The learned counsel for the petitioner further submits that petitioner was not absconding rather was availing his remedies available in law, but then it took some time for the petitioner to approach this Court for seeking anticipatory bail. It is next submitted that process under Section 82 Cr.P.C. is issued for presence of the accused before the Court and not to aid the police in investigation. It is also submitted that Raj Kumar Yadav had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 56059 of 2025 and the same was allowed by an order dated 27.08.2025 passed by a learned Co-ordinate Bench. It is submitted that the case of the petitioner, in the nature of allegation as alleged in the FIR, is on a much better footing than Raj Kumar Yadav, as no specific allegation is alleged against the petitioner in the FIR. It is reiterated and submitted that no doubt process under Section 82 Cr.P.C. has been issued, but then petitioner was seeking his remedies available in law. It is further asserted and submitted that all six cases against the petitioner have been instituted from the side of the informant on account of land dispute.

7. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner, but then are not in a position



to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner was not absconding rather was seeking his remedies available in law and co-accused, Raj Kumar Yadav, has been granted the privilege of anticipatory bail.

8. At this stage, the learned counsel appearing on behalf of the informant submits that in the event if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chhatapur P.S. Case No. 279 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

10. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

11. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

12. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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