

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52194 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- Kadwa District- Bhagalpur

1. Kapildeo Singh S/O Late Subak Lal Singh Resident of Village- Pratap Nagar Kadwa, P.S.- Kadwa, Dist.- Bhagalpur
2. Rani Devi W/O Ravin Singh Resident of Village- Pratap Nagar Kadwa, P.S.- Kadwa, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, 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 petitioners are apprehending arrest in connection with Kadwa P.S. Case No. 54 of 2025, dated 01.05.2025, lodged under Section 126(2), 115(2), 303(2), 352, 351(2) (3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against five named accused persons, including the present petitioners. The specific allegation against the petitioner No. 1 is that he assaulted the informant on the head, causing injury. Further, there is also an allegation of snatching a chain mentioned in the FIR.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that for the same date and place of occurrence, there is a case and counter-case between the parties. He also submits that from the contents of the FIR, it becomes crystal clear that both the petitioners and the informant are neighbours and well known to each other. He further submits that the dispute arose only because one party wanted to pass through a particular way which the other party used to obstruct, and due to this, a scuffle took place. He also submits that petitioner No. 1 is aged about 70 years and petitioner No. 2 is a lady against whom there is neither any specific allegation nor any allegation of any act or overt act. Furthermore, he submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the dispute relates to a pathway, and a scuffle took place between both sides, resulting in injuries to persons on both sides.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court 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 S.D.J.M., Naugachia, Bhagalpur, in connection with Kadwa P.S. Case No. 54 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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