

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58290 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- BANJARIA District- East Champaran

1. Pahari Rai S/o Late Kalika Rai Resident of Village -Gamhariya Tola Semarhiya, P.s.-Banjariya, Distt.- East Champaran
2. Mukesh Rai S/o Late Kalika Rai Resident of Village -Gamhariya Tola Semarhiya, P.s.-Banjariya, Distt.- East Champaran
3. Dwarpali Rai S/o Late Kalika rai Resident of Village -Gamhariya Tola Semarhiya, P.s.-Banjariya, Distt.- East Champaran
4. Sukesh Rai @ Sukesh Kumar S/o Narsing Rai @ Narsingh Rai Resident of Village -Gamhariya Tola Semarhiya, P.s.-Banjariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 1. 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 offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 329(B), 109, 352, 351(2) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons including petitioners came and on orders of Sukesh, all accused started assaulting him, further



Pahari assaulted him by *farsa* causing injury on head and also assaulted his grandson Brajesh by *farsa* causing injury on head, thereafter Mukesh and Dwarpali assaulted the informant by an iron rod on his head causing two injuries, while Napali was assaulted by *bhala* on his abdomen and accused snatched chain and Rs. 4,600/- from Brajesh.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that the petitioners and the informant are agnates and are having disputes relating to land. It is further submitted that Banjariya P.S. Case No. 96 of 2025 came to be instituted from the side of the petitioners against the informant and his side. It is also submitted that all injuries suffered by the injured have been opined to be simple, as would manifest from the injury report annexed as Annexure-3, which amply demonstrates that accused persons never had any intention of committing a serious occurrence. It is next submitted that on account of disputes relating to land, an altercation had taken place in which both sides assaulted each other. It is also submitted that petitioners are not criminals.

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



6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Banjariya P.S. Case No. 95 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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