

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55626 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- TETERHAT District- Lakhisarai

1. Sri Sao S/o- Rameshwar Sao Residents of village-Tetarhat, P.O P.S. Tetarhat, District- Lakhisarai
2. Prakash Sao S/o- Sri Sao Residents of village-Tetarhat, P.O P.S. Tetarhat, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Poonam Singh, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Tetarhat P.S. Case No. 128 of 2025 registered for the offences punishable under Sections 115 (2), 126(2), 118(1), 109(1), 353, 351(2) and 3(5) of the Bharatiya Nayaya Sanhita, 2023.

3. As per prosecution case, petitioners are said to have assaulted upon the hand of the informant by means of rod as a result informant sustained injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as



alleged in the first information report and they have been falsely implicated in this case. He submits that there is admitted land dispute between the parties and proceeding under section 107 Cr.P.C. was initiated against both the parties. In cases of land dispute facts are generally exaggerated in order to make the offence graver. The injury sustained by the informant on his hand has been found to be simple in nature caused by hand and blunt object, as is evident from the Injury Report contained in Annexure-3. There is no allegation against the petitioners of assaulting on vital parts of the body. In the light of the aforesaid facts and circumstances of the case, no case, as alleged in the F.I.R., is made out against the petitioners.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation of assault against the petitioners which is corroborated by the injury report.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Lakhisarai in connection with Tetarhat P.S. Case No. 128 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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