

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61955 of 2025

Arising Out of PS. Case No.-160 Year-2025 Thana- BENIPATTI District- Madhubani

1. Shankar Das S/O Laxmi Das R/O Village- Ganguly Choudhary, Ward No. 9, P.S.- Benipatti, District- Madhubani
2. Umesh Das S/O Laxmi Das R/O Village- Ganguly Choudhary, Ward No. 9, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Gagan Deo Yadav, learned counsel for the petitioners and Mr. Shailendra Kumar Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Benipatti P.S. Case No. 160 of 2025, F.I.R. dated 16.06.2025 for the offences punishable under Sections 189(2), 126(2), 115(2), 118(1), 109(1), 74, 303(2), 352, 351(2) of the BNS, 2023.

3. According to prosecution case, the petitioners is said to have encroached the informant's land. It is further alleged that all the accused persons including these petitioners have assaulted the informant and his family members and also took gold ornaments from informant's mother and wife.



4. Learned counsel for the petitioner submits that petitioners have clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. It appears from the FIR that due to some petty dispute, the present occurrence has taken place.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that from a bare perusal of the FIR, it appears that there is direct and specific allegation against the petitioners that they have assaulted the informant and informant has received the injuries and injury report of the informant suggests that injuries are grievous in nature.

6. Considering the facts and circumstances of the case and the fact that injury inflicted upon the informant is found to be grievous in nature, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Benipatti P.S. Case No. 160 of 2025 pending in the court of learned C.J.M., Madhubani.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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