

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64623 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- RAJAON District- Banka

1. LAKHAN MANDAL S/O LATE LALDEV MANDAL @ BALDEV MANDAL RESIDENT OF VILLAGE - MOHANPUR , P.S - RAJOUN , DISTRICT - BANKA
2. Radha Devi W/o Lakhan Mandal RESIDENT OF VILLAGE - MOHANPUR , P.S - RAJOUN , DISTRICT - BANKA
3. Nitu Devi W/o Navin Mandal RESIDENT OF VILLAGE - MOHANPUR , P.S - RAJOUN , DISTRICT - BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Singh, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Rajoun P.S. Case No. 163 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 303(2), 352, 351(2), 117(2), 110 and 3(5) of the B.N.S. 2023.

3. As per prosecution case, petitioner and others came at the house of the informant and started abusing him. It is alleged that when the informant protested, all the accused persons assaulted the informant by means of lathi, land and iron rod. It is further alleged that when the son and daughter-in-law



of the informant came for rescue, they were also assaulted. The reason for the alleged occurrence is that children took away chocolate from the shop of the informant. It is further alleged that the accused persons also took away Rs. 15000/- from the shop of the informant.

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. There is no specific allegation against the petitioners, rather the allegations are general and omnibus in nature. There is case and counter case between the parties, as stated in para 8 of the petition. It is submitted that the allegation of assault by means of iron rod and taking away of Rs. 15000/- from the shop of the informant, are nothing but super addition merely to make the offence graver. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioners are F.I.R. named accused and they cannot escape from the allegations levelled in the first information report.

6. Considering the facts and circumstances of the



case, keeping in view clean antecedent of petitioners, there is no specific allegation against any of the 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, Banka in connection with Rajoun P.S. Case No. 163 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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