

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63937 of 2025

Arising Out of PS. Case No.-237 Year-2023 Thana- SHERGHATI District- Gaya

1. Nagendra Prasad, S/o Late Bashudeo Prasad @ Basudev Mahto R/o vill - Sonbersa Baksoti, P.S.- Dobhi, Distt.- Gayaji
2. Nitish Kumar, S/o Nagendra Prasad R/o vill - Sonbersa Baksoti, P.S.- Dobhi, Distt.- Gayaji
3. Shanti Devi, W/o Nagendra Prasad R/o vill - Sonbersa Baksoti, P.S.- Dobhi, Distt.- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 342, 308, 504 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.3 is a woman and the informant alleges that he was returning from his field when he was intercepted by the petitioners and Nagendra assaulted him by an iron rod causing injury near his



right eye, thereafter Nitish and Shanti assaulted him by lathi and danda causing injury on back and chest. Further, he was admitted at PHC and thereafter was referred to Magadh Medical College, Gaya.

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 petitioner no.1 and informant are own brothers and are having dispute relating to property. It is next submitted that on the date of occurrence an altercation had taken place in which both sides assaulted each other. It is next submitted that from side of the petitioners, Sherghati (Dobhi) P. S. Case No. 190 of 2023 was instituted against the informant and his side. It is next submitted that Nitish is a student and Shanti is wife of Nagendra and they have been implicated in the case only with a view to coerce Nagendra into submission. It is further submitted that from perusal of the order impugned, it would manifest that the same does not disclose about the nature of injury suffered by the informant. It is further submitted that it has been pleaded at Para-10 that before the learned District Court despite repeated calls neither the case diary nor the injury report was submitted despite show-cause in this regard being issued by the learned District Court,



but still the injury report was not submitted. It is thus submitted that since no injury was caused to the informant. It is also submitted that petitioners are not criminals.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st Sherghati, Gayaji in connection with Sherghati (Dobhi) P. S. Case No.237 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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