

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68112 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- NAUTAN District- West Champaran

1. Shankar Prasad S/o Bishun Prasad R/o Village - Dhumnagar Badhiya Tola, P.S - Nautan, District - West Champaran
2. Shiv Sagar Prasad S/o Late Bishun Prasad R/o Village - Dhumnagar Badhiya Tola, P.S - Nautan, District - West Champaran
3. Ajay Prasad @ Ajay Kumar S/o Shankar Prasad R/o Village - Dhumnagar Badhiya Tola, P.S - Nautan, District - West Champaran
4. Vijay Prasad S/o Shankar Prasad R/o Village - Dhumnagar Badhiya Tola, P.S - Nautan, District - West Champaran
5. Niraj Kumar S/o Shiv Sagar Prasad R/o Village - Dhumnagar Badhiya Tola, P.S - Nautan, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gautam, Adv.
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-10-2025 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 u/s 126(2), 115(2), 118, 109, 125(a), 303(2), 352, 351(2), 3(5) of BNS, 2023.
3. Learned counsel for the petitioners submits that petitioner nos.1, 4 and 5 have antecedent of one case and petitioner nos.2 and 3 have antecedent of two cases and the informant alleges that he was returning back home on his



motorcycle carrying money for labour payment on 11.11.2024 at 7:00 P.M., when he was intercepted by 15 named accused persons including the petitioners who assaulted and snatched his chain, on protest, the accused persons assaulted him by sword causing injuries near his eye and when his elder brother came to save him when Lalan, Ambika, Shiv Sagar, Shankar and Ramesh assaulted him by lathi on his back and Sunny assaulted him by sword causing injury near the eye and looted Rs.25,000/- which the informant was carrying.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the F.I.R., it would manifest that specific allegation of assaulting the brother of the informant is against Sunny Kumar and as far as Lalan, Ambika, Shiv Sagar, Shankar and Ramesh are concerned, the allegation of assault against them is general and omnibus in nature. It is also submitted that even allegation of assaulting the informant is general and omnibus in nature and the informant received simple injury. It is further submitted that the F.I.R. came to be instituted by concealing the relevant fact that an altercation had taken place on account of dispute relating to land, it is next



submitted that on 05.10.2024, Lalan had given a representation to the Circle Officer, Nautan directing the informant to produce the documents relating to land but it is submitted that the informant was delaying that. It is also submitted that as far as petitioners of the instant anticipatory bail application are concerned, against them, the allegation of assault is general and omnibus in nature. It is next submitted that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

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

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. 20,000/- (Rupees Twenty 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 Nautan P.S. Case No. 446 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. It is further made clear that if the investigating Officer



of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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