

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67299 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- SC/ST District- Rohtas

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1. Lal Bahadur Singh @ Nanhak Singh @ Lal Bahadur S/o- Late Dhyan Singh Village- Patadhi , PS-Sheosagar , Dist- Rohtas
 2. Ravi Shankar Singh @ Chaudhary S/o- Late Dhyan Singh Village- Patadhi , PS-Sheosagar , Dist- Rohtas
 3. Vijay Singh @ Vijay Bahadur Singh S/o- Late Dhyan Singh Village- Patadhi , PS-Sheosagar , Dist- Rohtas
 4. Dinesh Singh @ Dinesh Kumar Singh S/o- Kamal Singh Village- Patadhi , PS-Sheosagar , Dist- Rohtas

... .. Petitioners

Versus

1. The State of Bihar Bihar
2. Dina Ram S/o- Late Ram Vyas Ram Village- Patadhi , PS-Sheosagar, Dist- Rohtas

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Rajani Kant Singh, Adv.
For the State	:	Mr. Binay Krishna, Special P.P.
For the O.P. No. 2	:	Mr. Sanjay Kumar Tiwary,

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 22-12-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with SC/ST Dehri P.S. Case No. 40 of 2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 76, 352, 351(2) of BNS, 2023, Section 27 of the Arms Act, Section 3(i)(r)(s)(w), 3(2) v of SC/ST Act and Section 8/12 of the POCSO Act.

3. As per prosecution case, petitioner no. 1/ Lal



Bahadur Singh @ Nanhak Singh, petitioner no. 2/ Ravi Shankar Singh @ Chaudhary and petitioner no. 3/ Vijay Singh armed with spade and farsa came at the door of informant and started abusing. It is alleged that petitioner no. 1 used abusive language upon flowing of dirty water of drainage and all the aforesaid petitioners started trenching the door of informant and when same was protested, petitioner no. 2 rushed to his house and returned with co-accused Pintu Patel, Chandan Patel, Dipak Patel and petitioner no. 4/ Dinesh Singh, who were armed with lathi, danda, tangi and pistol. It is alleged that upon exhortation of petitioner no.1, all the accused persons attacked upon the informant and his family members. It is further alleged that petitioner no. 2 assaulted upon the head of informant's wife by means of tangi as a result of which she sustained injury and fell down. It is further alleged that when informant's daughter came to rescue, co-accused Pintu and Chandan caught her and tore her clothes due to which she became undressed. It is further alleged that co-accused Pintu and Chandan thrashed the informant's daughter on the ground. It is further alleged that upon the instigation of petitioner no. 4, co-accused Dipak, Chandan and Pintu started carrying the informant's daughter upon which informant's brother tried to save her but all the accused persons



assaulted the informant's brother as a result of which informant's brother sustained injury. It is further alleged that petitioner no. 3 assaulted the informant by means of tangi as a result of which informant sustained injury on his right hand. It is further alleged that petitioner no. 1 made firing from katta.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. He further submits that mainly from perusal of the FIR, it is clear that the dispute arose on account of flowing of dirty water of drainage upon which both parties filed criminal case against each others for the same date of occurrence though case of petitioners' side has been lodged after four days of the occurrence. He further submits that on account of flowing of dirty water of drainage, facts are exaggerated to make the offence graver. Prudently and pragmatically, it cannot be presumed that the guardians are giving order to commit wrong against a lady. He further submits that sons of petitioner no. 1 and 3 have also been implicated in the present case. He further submits that informant's side just wants to score through criminal tinge by making false allegation against the petitioners' side. He further submits that though there is allegation of firing against petitioner no. 1 but no firing material was recovered



from the place of occurrence and all the injuries of injured persons are simple in nature. Apart from that, petitioners bear no criminal antecedent. He further submits that allegation as alleged in the FIR, is not made out in the light of given facts and circumstances of the case as dispute arose on account of flowing of dirty water of drainage and the informant has made allegation in order to suit the prosecution story.

5. The learned A.P.P. for the State and learned counsel for opposite party no. 2 opposed the prayer for anticipatory bail of the petitioners and submitted that petitioners are named accused in the FIR and allegations are specifically made against them and injury report also corroborates the said allegation.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent 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 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. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum Special Judge (POCSO), Sasaram, District-



Rohtas in connection with SC/ST Dehri P.S. Case No. 40 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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