

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75573 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- Mission District- Sheikhpura

1. Sadan Prasad S/O Fakir Chand R/O Village- Khanchiyagali, Barbigha, P.S- Mission Barbigha, Distt.- Sheikhpura.
2. Sanjay Prasad @ Sanjay Kumar Prasad S/O Sadan Prasad R/O Village- Khanchigali, Barbigha, P.S- Mission Barbigha, Distt.- Sheikhpura.
3. Bhola Prasad @ Upesh Kumar S/O Sadan Prasad R/O Village- Khanchigali, Barbigha, P.S- Mission Barbigha, Distt.- Sheikhpura.
4. Lallu Prasad @ Mukesh Kumar S/O Sadan Prasad R/O Village- Khanchigali, Barbigha, P.S- Mission Barbigha, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-01-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Criminal Miscellaneous application No. 75573 of 2024 has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioners who are apprehending arrest in connection with Mission Barbigha P.S. Case No. 48 of 2024, lodged on 19.07.2024, under Sections 115, 118(1), 110, 126(2), 303(2), 352, 3(5) of the Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners



against whom there is allegation that all the accused persons, in connivance with each other, assaulted the informant.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that for the same date and place of occurrence, there is a case and counter case between the parties and Mission P.S. Case No. 49 of 2024 has been lodged by the petitioner no. 1. Counsel fairly submits that the criminal antecedents of the petitioners are not clean. There are no. of cases pending against the petitioners. Petitioner Nos. 1, 3 and 4 have three criminal antecedents each and the petitioner No. 2 has four criminal antecedent.

5. Learned APP for the State opposes the prayer for bail and submits that the criminal antecedents of the petitioners are not clean and this aspect must be taken into consideration while considering the bail application of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners is hereby rejected.

(Dr. Anshuman, J)

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