

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 73960 of 2025

Arising Out of PS. Case No.-275 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Arun Kumar Son of Dinesh Das Resident of Village - Korbaddha, Laguniya Suryakanth, P.S.- Muffasil, District - Samastipur
 2. Arjun Kumar Son of Dinesh Das Resident of Village - Korbaddha, Laguniya Suryakanth, P.S.- Muffasil, District - Samastipur
 3. Durga Kumari Daughter of Dinesh Das Resident of Village - Korbaddha, Laguniya Suryakanth, P.S.- Muffasil, District - Samastipur
 4. Sushila Devi @ Shila Devi Wife of Dinesh Das Resident of Village - Korbaddha, Laguniya Suryakanth, P.S.- Muffasil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR JUSTICE AJIT KUMAR

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and the
learned APP for the State.

2 The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 126 (2), 115 (2), 118 (1), 109, 303 (2), 352, 351 (2), 3 (5) of the BNS, 2023.

3 The prosecution case, as per the written report of the informant, is that there exists a longstanding land dispute between his father Jeevachh Das and his uncle Dinesh Das. After partition of the ancestral property, both parties have been



in possession of their respective portions. On 22.06.2025 at about 9 am, when the informant's father was not present at home, accused Dinesh Das allegedly began constructing a wall over the informant's land. When the informant objected, Dinesh Das abused him and, armed with a rod and khanti, forcibly entered his house along with other accused persons, namely, Sushila Devi, Arun Kumar, Arjun Kumar, Durga Kumari, Ram Kumar Das, Ranju Devi, Prince Kumar, Surendera Kumar, Anita Devi, Rohit Kumar, Vikas Kumar and Rahul Kumar, assaulted his brother and sister and abused the family in filthy language.

4 Learned counsel for the petitioners submits that against petitioners No 1 and 2, there is no whisper of any overt act in the first information report while against petitioners No 3 and 4, there is allegation of having caught the sister of the informant for facilitating Prince Kumar to snatch the golden chain which, according to the learned counsel for the petitioners, is ornamental in nature just to provide gravity to the allegations. It has next been submitted that other co-accused Anita Devi and Vikash Kumar have been granted the privilege of anticipatory bail by a coordinate Bench of this Court by order dated 23.09.2025 passed in Cr Misc No 67526 of 2025 while the



anticipatory bail application against Rohit Kumar was withdrawn owing to his arrest during pendency of the said bail application.

5 Considering the facts and circumstances and also the fact that there is no specific allegation against these petitioners, this Court is inclined to grant the privilege of anticipatory bail to the petitioners of this case also.

6 Let the petitioners abovenamed, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of this order, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VIII, Samastipur in Mufassil PS Case No 275 of 2025 subject to all conditions as laid down in Section 482 of the BNSS, 2023 and also the following conditions:

(i) One of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) The petitioners shall appear on each and every date before the trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the trial Court itself;



(iii) The petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of their bail bonds; and

(iv) The petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

7 This application is allowed.

(Ajit Kumar, J)

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