

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71398 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- ROH District- Nawada

Balmiki Chauhan @ Balmukund Chauhan @ Balmukund Kumar S/o Subhash
Chauhan Resident of Village - Mahrawan, P.S - Roh, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kshem Sharma, Advocate
		Dr. Manoj Kumar, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-10-2025 Heard Mr. Kshem Sharma, learned counsel appearing on behalf of the petitioner and Mr. Umeshanand Pandit, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 118(1), 117(2), 303(2), 352, 351(2) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including this petitioner, abused and assaulted daughter of informant and when son of informant went to save her, he was also assaulted by means of *lathi* and *danda*. It is further alleged that when informant went to make complaint, co-accused Shubhash Chauhan assaulted him by



means of knife.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, on account of admitted land dispute between the parties, a simple *maar-peet* took place in which both sides sustained injuries. There is case and counter-case. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against this petitioner. From bare perusal of the F.I.R. it is apparent that specific accusation of inflicting knife blow is against co-accused Shubhash Chauhan. Similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 30.06.2025 passed in Cr. Misc. No. 35250 of 2025. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, case and counter-case between the parties, claim based on parity and clean antecedents of the petitioner, the prayer for grant of



anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Nawada in connection with Roh P.S. Case No. 80 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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