

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73657 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- SIRDALA District- Nawada

1. Manju Devi @ Manti Devi W/O Jayram Prasad R/O Vill. - Nawabganj, P.S. - Sirdala, Dist. - Nawada
2. Guddu Kumar S/O Jayram Prasad R/O Vill. - Nawabganj, P.S. - Sirdala, Dist. - Nawada
3. Karu Prasad S/O Late Puneet Prasad R/O Vill. - Nawabganj, P.S. - Sirdala, Dist. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that the petitioner No.3, namely Karu Prasad, has been arrested and hence, prays for withdrawal of the anticipatory bail application with respect to petitioner No.3 and the learned counsel for the petitioner presses for anticipatory bail application of petitioner Nos. 1 and 2.

3. Permission is accordingly granted.

4. The anticipatory bail application with respect to



petitioner No.3 stands dismissed as withdrawn.

5. The petitioners are apprehending their arrest in connection with Sirdala P.S. Case No. 287 of 2025, F.I.R dated 24.07.2025 registered for the offences punishable under Sections 191(2), 190, 12692), 115(2), 118(1), 109, 303(2), 351and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

6. According to prosecution case, on 24.07.2025, Pradeep Prasad of Village Nawabganj submitted a written complaint to the S.H.O., Sirdala Police Station. He stated that on the night of the incident at around 11:00 PM, while he and his two friends, Sanjay Prasad and Ranjan Kumar, were sleeping on the roof of his house, six accused persons suddenly entered the premises and assaulted him with sharp-edged weapons. When his friends tried to intervene, the accused restrained and prevented them. The informant, after falling to the ground in a grievously injured state, was abused and threatened with dire consequences if he reported the matter to the police. The accused allegedly snatched his gold chain and took Rs.7,200 from his pocket. It was also alleged that Guddu Kumar was carrying a country-made pistol and threatened to fire, while 5–6 others stood on the stairs inciting to kill him. Believing the informant to be dead, the accused fled, leaving behind a mobile



phone and a blood-stained weapon.

7. Learned counsel for the petitioners submits that petitioner No.1 is the mother of petitioner No.2 and the allegation is of having assaulted and injuring the informant because of an existing land dispute, all the three petitioners have been roped in the present case while during the pendency of the anticipatory bail application, petitioner No.3 is said to have been arrested and the anticipatory bail application with respect to petitioner No.3 is accordingly dismissed as withdrawn. It has next been submitted that there is no specific allegation against petitioner Nos. 1 and 2 and there is a counter version to the entire incident and the F.I.R. has also been registered being Sirdala P.S. Case No.286 of 2025 dated 24.07.2025 and the informant of this case is the husband of petitioner No.1, Manju Devi. It has further been submitted that the injury which is said to have been caused, as per the allegations, are simple in nature.

8. Learned APP for the State opposes the prayer for anticipatory bail application.

9. Considering the aforesaid facts and circumstances that there is a counter case, the injuries being inflicted upon the informant are simple in nature and no specific allegation has been made against the petitioners rather the allegation is general



and omnibus in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner Nos. 1 and 2.

10. Let the petitioner Nos.1 and 2, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Nawada, in connection with Sirdala P.S. Case No. 287 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

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

(ii) the petitioner(s) 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 his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) 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.

(Ajit Kumar, J)

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