

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.77255 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- GAUNAHA District- West Champaran

Nagendra Maurya @ Nagendra Kumar S/O Late Jiyut Kushwaha @ Jiyut Prasad Kushwaha R/O Vill.- Gaunaha, P.S.- Gaunaha, Dist.- West Champaran
... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
: Mr. Rakesh Kumar Sharma, Advocate
: Mr. Rahul Singh, Advocate
: Mr. Adarsh Parashar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-11-2025 Heard learned Senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 132, 352, 351(2) of the B.N.S.

3. The allegation in the first information report is that the lady Forest Guard was abused, threatened and assaulted by a mob of villagers led by the petitioner when she objected them from taking grass and wood from the forest area.

4. Learned Senior counsel for the petitioner submits at the outset that the petitioner is *Up-Mukhiya* and he by virtue of being the same was only leading the villagers in their protest against fencing of village land by the forest officials. It is evident from a petition filed by the petitioner which is Annexure-P/2 before the SC/ST Commission and the same is dated 25.07.2025, whereafter the present F.I.R. was filed on 05.09.2025. It is further



submitted that in the entire transaction no injury has been suffered either by the informant or any official of the Forest Department.

5. Learned APP for the State opposed the grant of anticipatory bail on the basis of allegations made in the first information report.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner is a public representative and the entire incident took place on account of a dispute between the villagers and the Forest Department with regard to fencing of land, let the above named petitioner, who has no criminal antecedent, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Gaunaha P.S. Case No. 133 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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