

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78359 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- DHANSOI District- Buxar

1. LALI DEVI W/o- Upendra Choudhary R/v- Samahuta Tarkulwa Dera Ps- Dhansoi Dist- Buxar
2. Priyanka Devi W/o- Rupesh Choudhary R/v- Samahuta Tarkulwa Dera Ps- Dhansoi Dist- Buxar
3. Sumitra Devi W/o- Jagnarayan Choudhary R/v- Samahuta Tarkulwa Dera Ps- Dhansoi Dist- Buxar
4. Sonam Devi W/o- Hanuman Choudhary R/v- Samahuta Tarkulwa Dera Ps- Dhansoi Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Dhansoi P.S. Case No. 131 of 2025 registered for the offences punishable under Section 191(2), 190, 126(2), 115(2), 109, 121(2), 132, 324(4), 352, 351(2) of the B.N.S.

3. As per the prosecution case, the informant posted as circle officer, Rajpur Block, Buxar went to provide administrative assistance to Shri Chandrakant Rai in farming



under his legal right. She has further stated in the written report that she and the SHO tried a lot to explain but the women started abusing and pushing her as well due to which she got pain in her stomach. She is 6 months pregnant due to which she started having stomach ache. Due to the attack by the people, Rajkumar Paswan's head got injured and he fell unconscious on the ground. Other police personnel also got badly injured. The windscreen of two police station vehicles was broken and badly damaged. A person who was standing on the roadside was also badly injured on the head. She and all the officers together took the injured force and somehow saved their lives. The area Chowkidar identified the 53 people present there involved in the offence and about 100 unknown people were also involved. Preventive action had already been taken previously, yet the incident was carried out by the said people and a deadly attack was made on her and police officials. On the basis of the written report, this instant case was registered.

4. Learned counsel for the petitioners submit that the allegation against these petitioners are general and omnibus in nature and nothing specific have been alleged these petitioners who are villagers and earns their livelihood by cultivating their land. It has next been submitted that there is a existing land



dispute between the parties in which the officials of the revenue department had tried to interfere and in retaliation the incident has taken place.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner .On the other hand the counsel for the aggrieved parties whose land in question was sought to be removed from encroachment by the government officials who is said to have sustained injuries in course of removal of encroachment, has appeared *suo moto* opposing anticipatory bail submits that all other accused persons being 42 in number they had surrendered and obtained bail from the court below and therefore the privilege of anticipatory bail should not be extended to them.

6. Considering the fact that there is nothing specific against these petitioners and the allegations being general and omnibus and the land dispute for which there is already a title suit pending. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the above named petitioners, in the event of their arrest/surrender 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 J.M. 1st Class, Buxar in connection with Dhansoi P.S. Case No. 131 of 2025, subject to 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 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 his/her/their bail bond 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 evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(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.

(Ajit Kumar, J)

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