

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78062 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- CHAKIA District- East Champaran

1. Mukesh Das S/o Ramekbal Das R/o Village - Koyala Belwa Tola Madhuwan, P.S - Chakiya, District - East Champaran, Bihar.
2. Atma Das S/o Lt. Dukha Das R/o Village - Koyala Belwa Tola Madhuwan, P.S - Chakiya, District - East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Megha Kumari, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-12-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Chakiya Police Station Case No. 296 of 2025, disclosing offences under Sections 191(2), 191(3), 126(2), 115(2), 125, 74, 109, 303(2), 352 and 351(2) of Bharatiya Nyaya Sanhita.

3. The prosecution case, as per the First Information Report, is that on 11.06.2025 at about 06:30 p.m, while the informant's daughter was going to attend coaching classes, she was stopped by one co-accused Niraj Kumar Das, who gave her a mobile phone and said that he wanted to talk with the informant's daughter. It has further been alleged that informant



went to the house of Niraj Kumar Das along with his wife in order to lodge a complaint upon which the family members of Niraj Kumar Das became furious and on 12.06.2025 at about 5:00 p.m, co-accused Niraj Kumar Das along with his two associates arrived at house of the informant on a motorcycle, started abusing and when the informant, his wife and co-villagers protested, the petitioners along with seven named and 10 unknown persons, started assaulting the informant's family members and co-villagers with bricks, stones, lathi, farsa etc.

4. Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to dispute between the family of co-accused Niraj Kumar Das and the informant. The allegation against the petitioners is general and omnibus in nature and no specific overt act has been alleged against the petitioners. She further submits that from perusal of the impugned order, it appears that the injury caused to the father of the informant has been mentioned but it has not been described in the order as to whether the injury is grievous or simple in nature.

5. Having regard to the submissions made by the parties and taking into consideration the fact that allegation



against the petitioners is general and omnibus in nature and from the impugned order, it does not appear that serious injury has been caused to any of the victims, accordingly, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari East Champaran, in connection with Chakiya Police Station Case No. 296 of 2025, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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