

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86183 of 2024

Arising Out of PS. Case No.-523 Year-2024 Thana- FATUA District- Patna

1. Rahul Kumar S/O Karu Mochi @ Gorakh Das Resident of village- Khokhna, P.S.- Fatuha, District- Patna.
2. Sunil Das @ Sunil Mochi S/o Munnilal Mochi @ Munilal Resident of village- Khokhna, P.S.- Fatuha, District- Patna.
3. Dilip Kumar @ Dilip Mochi S/o Sagina Mochi @ Sagina Das Resident of village- Khokhna, P.S.- Fatuha, District- Patna.
4. Sagina Das @ Sagina Mochi S/o Madho Mochi Das Resident of village- Khokhna, P.S.- Fatuha, District- Patna.
5. Satan Kumar S/o Sagina Das Resident of village- Khokhna, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar, Adv
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

3. Petitioners apprehend their arrest in a case registered for the offences punishable under sections 126, 115(2), 109, 352, 351(2), 3(5) of B.N.S.S Act.

4. The FIR, indicated that on account of a dispute between the children, the accused persons, five in number came variously armed and assaulted Fekan Das,Lilku Das and one Kajal Kumari, who got injured.



5. Learned counsel for the petitioners submits that the FIR itself, would reveal that an occurrence took place on account of some dispute between the young children and there is general and omnibus allegation of assault against five accused persons. It has also been submitted that two cases being Fatuha P.S.Case No.527 of 2024 and 872 of 2023 has been filed on behalf of the petitioner's family against the family of the informant. It has been submitted that the present case is a counter case of the case filed on behalf of the petitioner's family. It has also been alleged that there is dispute between the informant and the accused persons, who are *Gotiyas* and it has further been stated that two very young boys of 19 years of age, who are students have also been made accused in the present case.

6. The attention of the Court has been drawn towards the injury report of Fekan Das, which is shown to be as abrasion and pain and is simple in nature and further the injury of injured Lilku Mochi, also appears to be head injury and body ache caused by hard and blunt substance.

7. The learned APP for the State opposes the anticipatory bail of the petitioners.

8. Considering the facts that there is dispute between the



Gotiyas and the petitioners have no criminal antecedents, I am inclined to grant privilege of anticipatory bail to the petitioners. Accordingly, in the event of their arrest/ surrender within a period of four weeks from today the petitioners shall be released on bail on furnishing bail bonds of Rs 10,000/- (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 Fatuha P.S.Case No. 523 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

(Soni Shrivastava, J)

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