

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2042 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- ANTICHAK District- Bhagalpur

1. Nandan Kumar Son of Gore Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
2. Nakul Kumar @ Nakul Kumar Rishideo Son of Gore Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
3. Laxmi Devi @ Laxmi Kumari Wife of Nandan Kumar Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
4. Manohar Rishi Son of Fakir Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
5. Somari Rishi Son of Kali Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
6. Daya Nand Kumar @ Daya Nand Rishi Son of Prabhu Rishi @ Prabhu Musahar Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
7. Anuj Kumar Son of Nashatra Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 4 25-04-2025 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners apprehend their arrest in connection with Antichak P.S. Case no.62 of 2024 registered under Sections 307, 148, 149, 341, 323, 324, 326 and 354 of the Indian Penal Code.
3. As per the prosecution case, on 18.05.2024 at about



9:00 p.m., all fifteen named accused persons, including the petitioners herein, with an intention to kill her came to the house of the informant variously armed and started abusing the informant. On protest, accused Fakir Rishi assaulted the informant's husband Dhananjay Rishi with sword due to which he sustained grievous injury. Accused Suresh Rishi and Nakul Kumar, the petitioners herein assaulted the son of the informant on his head by sword causing head injury. Accused Nandan Kumar, the petitioner herein assaulted the informant with *hasua* with an intention to kill her causing injury.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. Due to land dispute, the occurrence has taken place. So far as allegations against the petitioner no. 1 of assault upon the informant is concerned, the injury suffered by the informant is simple in nature caused by hard and blunt substance. So far as allegation against petitioner no. 2, Nakul, of assault upon the son the informant is concerned, the injury suffered by him also is simple in nature caused by hard and blunt substance. So far as Petitioner No. 3 to 7 are concerned, there is general and omnibus allegation levelled against them of assault upon the informant's family. It is the accused Fakir Rishi who assaulted



the husband of the informant with sword causing grievous injuries on his body and the same would be evident from the injury report. The petitioner nos. 1, 2, 4, 6 and 7 have one criminal antecedent who are on bail and petitioner nos. 3 and 5 have no criminal antecedent. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the entire facts and circumstances of the case, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Antichak P.S. Case no.62 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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