

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14313 of 2026

Arising Out of PS. Case No.-156 Year-2017 Thana- CHAKAI District- Jamui

1. Parmeshwar Rai Son of Late Baikunth Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
2. Falguni Rai Son of Late Kedar Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
3. Shambhu Rai Son of Late Kedar Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
4. Sudhir Rai Son of Late Kedar Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
5. Kuldeep Rai Son of Late Kedar Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
6. Mukesh Rai Son of Kuldeep Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
7. Rupesh Rai Son of Kuldeep Rai Resident of Village- Patjori,PS-Chakai, District- Jamui
8. Bablu Rai son of Shambhu Rai Resident of Village- Patjori,PS-Chakai, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akhauri Kamal Kishore Sahay, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 25-03-2026 1. 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 Chakai Police Station Case No. 156 of 2017, disclosing offences under Sections 341, 323, 504, 307, 379 read with Section 34 of the IPC
3. As per the First Information Report, on



14.11.2017, a *panchayati* was held between the informant and his co-sharers. During the course of the *panchayati*, the petitioners, armed with lathis and sticks, started abusing the informant and his family members. When they objected, they were assaulted, as a result of which they sustained injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. He further submits that the petitioners and the informant are co-sharers, and during the course of the investigation, the petitioners were extended the benefit of Section 41A of the Cr.P.C. It has further been submitted that the charge-sheet was filed against the petitioners under bailable sections, and accordingly, the anticipatory bail application of the petitioners was withdrawn in 2017. Recently, cognizance has been taken by the learned Magistrate, differing from the police report by invoking Section 307 of the IPC, which necessitated the petitioners to file a fresh anticipatory bail application before the learned Sessions Judge. The same has been dismissed without proper application of judicial mind.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are co-sharers having some land dispute and during course of investigation, the petitioners were given benefit of Section 41A,



charge-sheet has already been submitted and there is no likelihood that the petitioners will influence the witnesses and tamper the evidences, 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 J.M.-1st Class/concerned Court, Jamui, in connection with Chakai Police Station Case No. 156 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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