

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86830 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- KASBA District- Purnia

1. Manoj Chauhan S/O Kailash Chauhan R/O Gadhiyabalua, Balua, P.S.- K.Nagar, Distt.- Purnia.
2. Rishav Chauhan @ Rishav Kumar S/O Pratap Chauhan R/O Balua, Gadhiyabalua, P.S- K.Nagar, Purnia.
3. Shanti Devi W/O Pratap Chauhan R/O Balua, Garhia, P.S- K.Nagar, Purnia.
4. Kunti Devi W/O Sahdev Chauhan R/O Gadhiya Balua, Balua, P.S.- K.Nagar, Distt.- Purnia.
5. Binda Devi W/O Kailash Chauhan R/O Garhia Balua, Balua, P.S.- K.Nagar, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Rakesh Prabhat, learned counsel for the

petitioners and Mr. Ahmad Ali, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kasba P.S. Case No. 111 of 2025, F.I.R. dated 19.04.2025 for the offences punishable under Sections 191(1), 191(2), 190, 115, 109, 117(2) and 303(2) of the BNS, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons came to his land and started cutting bamboo and trees. Upon objection the accused persons assaulted the informant.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties. He further submits that petitioner nos.3,4 &5 are not named in the FIR but their name transpired during investigation and so far as petitioner nos1 & 2 is concerned, although they are named in the FIR but there is no specific allegation of assault or overt against them.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent and there is case and counter case between the parties and there is no specific allegation of assault or overt against them in the FIR, let the petitioners, above named, in the event of arrest or surrender before the court below 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) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea in connection with Kasba P.S. Case No. 111 of 2025, subject to the 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. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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