

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90348 of 2025

Arising Out of PS. Case No.-582 Year-2025 Thana- DAUDNAGAR District- Aurangabad

1. Rishi Kumar S/o Jitendra Singh Resident of Village- Dhanav, P.S.- Daudnagar, District- Aurangabad
2. Meena Devi D/o Jitendra Singh Resident of Village- Dhanav, P.S.- Daudnagar, District- Aurangabad
3. Sant Kumar S/o Jitendra Singh Resident of Village- Dhanav, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Singh,Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 15-01-2026 Heard Mr. Rakesh Singh, learned counsel for the
petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Daudnagar P.S. Case No. 582 of 2025 for the offence punishable under sections 109, 190, 191(2), 126(2), 115(2), 117(2) of the BNS lodged on 09.09.2025 by the informant.

3. As per the prosecution case, the allegation against the petitioners is that they along with other accused persons were constructing a road on his purchased land which was opposed by him and his family upon which, the petitioners and



other accused persons assaulted the informant and his family members by means of Lathi, iron rod and *Khanti etc* due to which they received injuries. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that both the parties are co-villagers and there is a case and counter case between the parties and aunt of petitioner no.3 has lodged a case bearing Daudnagar PS Case No. 589/2025 against the informant and others of the present case under Sections 190, 191(2), 126(2), 115(2), 117(2) and 109 of the BNS on the same day i.e., on 09.09.2025 for the same cause of action. Learned counsel further submits that the injury report which is said to have been prepared by the treating doctor does not corroborate the allegation which is said to have been levelled against these petitioners as injuries caused to the informant as well as to his uncle have been found to be simple though said to have been caused by hard and blunt substance while abrasion and lacerated wound on the left hand is said to have been found. Petitioner no.3 is also said to have received injuries in the said scuffle for which an FIR being Daudnagar PS Case No. 589/2025 is said to have registered. It is further submitted that petitioners no.1 and 2 have got clean antecedent while petitioner no. 3 has got one antecedent in which final form has been submitted against him



and he has not been sent up for trial.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the fact that there is a case and counter case between the parties as stated above and the injuries are simple in nature and there is no specific allegation of overt-act against these petitioners, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ***SDJM, Daudnagar, Aurangabad*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason



will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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