

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2313 of 2026.

1. Surendra Das

2. Bhuteli Chaudhary Petitioners.

Versus

The State of Bihar

Order
No.

Date

O R D E R

03 16-06-2026

1. The petitioners herein apprehend arrest in connection with **Rajiv Nagar P.S. Case No. 153 of 2026**, registered for offences under Sections 61(2), 119(1), 223, 316(2), and 318(4) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
2. Heard Sri Pramod Prasad, learned counsel for the petitioners and Sri Rajesh Kumar, learned Public Prosecutor for the State.
3. At this juncture, learned counsel for the petitioners submits that petitioner No.2 Bhuteli Chaudhary is also known as Thekedar Gop, which he has stated in para 9 of the anticipatory bail application.
4. The prosecution case, in brief, is that the informant, an Assistant Engineer of the Bihar State Housing Board, during inspection on 08.03.2026 at about 14:45 Hrs, discovered illegal roof casting work being carried out on 03 kathas of land belonging to the Housing Board in the Mahavir Colony area. Upon seeing police vehicle the accused persons fled away. Upon inquiry, from nearby people the police came to know that the roof casting work was carried out by Thekedar Gop and unknown owner.
5. Learned counsel for the petitioners submits that the only non-bailable offences invoked against them are under Sections 119(1), 316(2), and 318(4) of the BNS. He submits that the petitioners have not been named in the FIR. He contends that even if the FIR is accepted at face value, no offence under Section 119(1) is made out, as there is no allegation of causing hurt. Both the petitioners are residing in the same locality and apprehending arrest as police is looking for them. It is further argued that the petitioners are neither the owners of the disputed plot nor connected with the

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construction work. Moreover, they possess clean criminal antecedents.

- 6.** Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioners.
- 7.** Pursuant to order dated 01.06.2026 case diary has been received. Upon perusal of the same, it transpires that petitioner No.2 Bhuteli Chaudhary is also known as Thekedar Gop. Further, the Investigating Officer has affirmed that both the petitioners have clean antecedent as recorded by him in para 24 of the case diary.
- 8.** Having regard to the facts and circumstances of the case; the nature of the allegation; the submissions advanced on behalf of the petitioners; and their clean antecedents, the prayer for grant of anticipatory bail of the above-named petitioners is **allowed**. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Order	16-06-2026
Date of Reserving Order	NA
Uploading Date	16-06-2026
Uploaded by	Amjad/-