IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48356 of 2026

Arising Out of PS. Case No.-483 Year-2025 Thana- RANIGANJ District- Araria

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1. Ranjeet Kumar @ Sanjeev Kumar S/o Feku Yadav @ Pheku Yadav R/o Village- Bagulaha, Ward 03, PS- Raniganj, Distt- Araria
2. Bilas Yadav @ Vilash Yadav S/o Feku Yadav @ Pheku Yadav R/o Village- Bagulaha, Ward 03, PS- Raniganj, Distt- Araria

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pushkar Narayan Shahi, Sr. Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP
For the Informant : Mr. Nafisuzzoha, Advocate
: Mr. Md. Raghib Alam, Advocate
: Mr. Nasar Iqbal, Advocate
: Mr. Gulistan Naz Tabassum

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 21-08-2026 Heard Mr. Pushkar Narayan Shahi, learned Senior Advocate appearing on behalf of the petitioners and Mr. Satyendra Narayan Singh, learned APP for the State, the informant is represented through Mr. Nafisuzzoha, learned Advocate.

2. Two petitioners, before this Court are seeking pre-arrest bail in connection with Raniganj P.S. Case No.483 of 2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 117(2), 109, 324(5), 326(a), 352 & 351(2) of the BNS and Sections 25(1-B)(a), 26 & 35 of the Arms Act.

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3. Based upon the written report, the prosecution alleges that while the informant along with his brother-in-law was engaged in ploughing land, in the meanwhile, the petitioners along with seven others variously armed with *lathi*, *danda*, iron rod, spade and musket, rushed to the land and restrained them from ploughing. On protest made by the informant and others, the petitioner No.2 assaulted the informant's brother-in-law, namely, Birbal Yadav with musket on his head, resulting in serious injury. Thereupon, all the other named accused persons, including petitioner No.1, brutally assaulted the informant's brother-in-law and broke his hands, legs and waist. It is further alleged that one Sushil Yadav, who was driving the tractor, was also assaulted by the accused persons mercilessly. The petitioners, along with others, also set the tractor on fire. While they were fleeing, the villagers, who were running towards the place of occurrence, chased them, whereupon the accused persons threw away the musket and fled from the spot.

4. Learned Senior Advocate Mr. Shahi, appearing on behalf of the petitioners primarily submitted that the genesis of the occurrence is nothing but a long-standing land dispute. The land, in question, which is said to be the place of occurrence

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was settled in favour of the petitioner's grandfather through *Bandobasti Parwana* by Government of Bihar and they were cultivating possession. However, based upon some fabricated documents, it is the informant's side, who started making an attempt to grab the same and in this process, in the night of 18.08.2025, they assaulted petitioner No.2 and others which led to institution of Raniganj P.S. Case No.332 of 2025. On the alleged date of occurrence, in fact, the similar incident took place which resulted into a free fight leading to injuries to persons of both the sides and institution of a counter version being Raniganj P.S. Case No.01 of 2026, instituted against the informant and others. The prosecution has failed to explain the injuries and the harm, which has caused to the persons of the petitioner's side and moreover, the falsity of the case is said to be writ large that the driver, Sushil Yadav, has not sustained any injury nor there is any injury report in this regard, corroborating the allegation of causing assault to him. Referring to the injury report, with respect to injured Birbal Yadav, learned Senior Advocate further contended that the injury which is specifically attributed to the petitioner No.2 is said to be over the head and is reported to be simple in nature. So far the injury which has been sustained over the left zygomatic arch, it is not specifically

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attributed to any of the petitioners rather a result of unknown assault omnibusly leveled against all the accused persons. The antecedent of the petitioners is also said to be an offshoot of the land dispute and it is the contention of the learned Senior Advocate that they will fully abide by the terms and conditions of the Court and would not indulge in such activities in future. While concluding his submission, learned Senior Advocate, referring to the FIR, further contended that had there been any intention to cause the death of the informant and others, there was no reason or occasion that the petitioner used the butt of the musket; rather, they would have certainly fired upon the informant and others but this is not the case of the prosecution.

5. On the other hand, learned Advocate for the State and the informant vehemently oppose the pre-arrest bail application and submit that the petitioners were the aggressor and they have brutally assaulted the informant’s brother-in-law, due to which he sustained two injuries over his head and only one of the injury has been found to be simple in nature, as is evident from the injury report and the other injury is grievous in nature and in fact the injured was fortunate enough that he anyhow survived. The petitioners have not only actively participated in the crime but also set on fire the tractor and

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causes loss to the property. It is lastly contended that the petitioners also bears two criminal antecedent and do not deserve the privilege of anticipatory bail.

6. Having considered the submissions advanced by the learned Senior Advocate/Advocate for the rival parties and considering the genesis of the occurrence and the rival claims over the property, which led to such incidents, resulting into case and counter case and the injuries to persons of both the sides, besides the allegation of the informant that the petitioner No.2 has caused an assault by means of butt of the musket over the head, which is reported to be simple in nature and the criminal antecedent is an offshoot of land dispute and now they undertake they they will fully cooperate in the proceeding of the Court and would not indulge in such occurrences, in the opinion of this Court the petitioners have made out a *prima facie* case for anticipatory bail. Accordingly, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) **each** with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Araria in connection with Raniganj P.S. Case No.483 of 2025, subject to

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the condition as laid down under Section 482(2) of the BNSS, with further conditions that:-

(I) One of the bailors shall be the own/close family members of the petitioners.

(II) If the petitioners shall be found indulged in such activities in future, the State/informant shall be at liberty to file an application for cancellation of their bail.

(Harish Kumar, J)

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