

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13293 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- RAJNAGAR District- Madhubani

1. Yah Khan @ Khan Ali @ Yeh Khan Ali Son of Late Mohd. Majeed Ahmad
Resident of Village - Parsa, P.S. - Rajnagar, District - Madhubani
2. Md. Kayum @ Abdul Kaiyum Son of Late Habibur Rahman Resident of
Village - Parsa, P.S. - Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Rajnagar P.S. Case No. 414 of 2024 (G.R. No. 2483 of 2024), dated 29.10.2024, lodged under Sections 74, 110, 115(2), 117, 126(2), 302(2), 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons, including the present petitioners, alleging that the accused persons were preparing to construct on



the informant's land. During a discussion regarding the matter, a scuffle took place, as a result of which injury caused to the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offense. Counsel further submits that the dispute has arisen due to a land issue. After purchasing the land, the petitioners began constructing a house on the said land. However, during this process, the informant, along with others, arrived and stopped petitioner No. 1 from continuing the construction. The informant and others also assaulted the petitioners' side and forcefully took an iron rod that was kept there. They demanded cash from the petitioners' side, and in this regard, the petitioners' side lodged an FIR, which was registered on 26.10.2024, bearing Rajnagar P.S. Case No. 411 of 2024. Counsel further submits that after a few days, when the petitioners attempted to resume construction, the informant's side again intervened, and again a scuffle took place, leading to the filing of the present FIR, bearing Rajnagar P.S. Case No. 414 of 2024. Counsel also submits that it is admittedly a land dispute between both sides, and for the same piece of land, which the petitioners purchased through a sale deed, two FIRs have been lodged on two different dates.

5. Learned APP for the State opposes the petitioners'



bail application and submits that from the bare reading of the FIR, it transpires that there is a land dispute between both parties.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M., VII, Madhubani, in connection with Rajnagar P.S. Case No. 414 of 2024 (G.R. No. 2483 of 2024), subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Aman Kumar/-

U		T	
---	--	---	--

