

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35151 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- MANJHAGARH District- Gopalganj

Rahul Giri @ Rahul Kumar S/o- Govind Giri Village- Santpur Manjha PS-
Manjhagarh District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Manjhagarh P.S. Case No. 282 of 2024, dated 21.09.2024, lodged under Sections 126(2), 115(2), 109(1), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against six named accused persons, including the present petitioner, alleging that the accused persons assaulted the informant and her family members, resulting in injuries to their legs and heads.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that as per the FIR itself, it is crystal clear that the



informant and the petitioner are agnates, and an admitted land dispute exists between them. He further submits that the cause of the dispute is also mentioned in the FIR, arising during the measurement conducted by the *Amin*. He submits that both parties are related and neither of them are habitual criminals, the incident occurred in the heat of the moment.

5. Counsel further submits that the allegation against the petitioner is that he used a farsa, which caused injury to the head of Surat Kumar Giri. He submits that the injury is simple in nature, and the other accused persons, who allegedly caused grievous injuries to the informant and her family members, have already been granted bail. He also submits that the petitioner has a clean criminal antecedent. Furthermore, he submits that the petitioner is willing to abide by any conditions that may be imposed by this Court.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the FIR contains an allegation of assault.

7. As such, in the present facts and circumstances of this case, let the above named petitioner 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) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Chief Judicial Magistrate, VI, Gopalganj, in connection with Manjhagarh P.S. Case No. 282 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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