

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43699 of 2025

Arising Out of PS. Case No.-372 Year-2024 Thana- BIHARIGANJ District- Madhepura

Pankaj Kumar S/o- Rajendra Mehta Resident of Village-Sheikhpura, P.S.-
Bihariganj, District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Ms. Isha Mishra, Advocate Mr. Atul Kumar, Advocate Mr. Dhandev Kumar, Advocate
For the Opposite Party/s :		Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Bihariganj P.S. Case No. 372 of 2024, lodged on 04.11.2024, under Sections 115(2)/118(2)/126(2) /108(1) / 303(2)/75/352/351(2)/351(3)/3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioner



against whom allegation is that the accused persons have assaulted reaching at the house of the informant due to which injury has been caused. The allegation against petitioner and others that they have assaulted with Lathi, Danda and Iron rod also.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that from the FIR itself, it transpires that the dispute arose between the parties are due to measurement of the land and it is purely a land dispute. Counsel submits that from the same date and place of occurrence there is case and counter case by the petitioner's side as well from the informant side. The case filed by the informant side is the present case and the case filed by the petitioner's side is Bihariganj P.S. Case No.373 of 2024. Counsel submits that both belongs to the same Gotiya and resident of same village. He further submits that injury report as well as the measurement application which has been filed before the Circle Officer have been annexed to show that there is admittedly land dispute for measurement of the land. Counsel submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that antecedent of the



petitioner is clean.

6. 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 learned Court below 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 S.D.J.M. Udakishanganj, Madhepura, in connection with Bihariganj P.S. Case No. 372 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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