

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55403 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- GOH District- Aurangabad

1. Munna Sharma @ Jai Niwas Sharma S/o Nagendra Sharma Resident of Village- Singhari, P.S - Goh, District - Aurangabad
2. Vishnupat Sharma @ Vikash Kumar S/o Late Billat Sharma Resident of Village- Singhari, P.S - Goh, District - Aurangabad
3. Anil Sharma @ Anil Kumar Sharma S/o Ramanuj Sharma Resident of Village- Singhari, P.S - Goh, District - Aurangabad
4. Manki Sharma @ Brij Bhushan Bhardawaj S/o Srinath Sharma Resident of Village- Singhari, P.S - Goh, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Raj
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-08-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Goh Police Station Case No. 101 of 2025, dated 30.03.2025, disclosing offences under Sections 109/191(2)/191(3)/190/352/351(2)/324(4)/132/122(1)/121(2)/74/126(2)/155(2) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, on the basis of First Information Report lodged by the informant, namely, Dilip Kumar Mandal, ASI, Koh Police Station, stating therein, that on



30.03.2025, the informant, along with other police officials, received information that some dispute was going on for construction of drainage at Ward No. 08 and upon such information, the informant rushed towards village Singhari. The police force found that two parties were on loggerhead on the point of construction of drainage. When the police party tried to pacify the situation, the petitioners, along with other accused persons, started abusing and assaulting the informant with lathi, danda, etc. due to which he sustained injuries near his eye and also on his chest. It has further been alleged that a lady constable was pulled from vehicle and was assaulted due to which she sustained injury on her left hand. Upon receiving videography of the incident, the petitioners were identified and have been named in the First Information Report.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. The police force, in order to cover their brutality, has lodged the present First Information Report. He next submits that under Government scheme drainage was being constructed and the same was being executed for



renovation and improvement of irrigation facility in the village. During construction of the drainage, the executing agent requested the encroachers, who are members of the second party, to remove encroachment from part of the drain/canal and then the matter was reported to the police station, upon which, the informant, along with police force, came and treated the dispute as caste rivalries. The petitioners were insisting the construction of drainage after removing encroachment so that water from the drainage was not obstructed. The police party started beating and assaulting the petitioners and other accused persons and their family members. The matter was reported to the superior officer and an enquiry was set up, in which, the petitioners were found not guilty, rather, manhandling, on the part of the side of the police, was found. Thereafter, the First Information Report, bearing Goh Police Station Case No. 108 of 2025, was lodged by the side of the petitioners against the encroachers.

5. He further submits that upon complaint of the petitioners, an enquiry was conducted by the Inspector General of the Police under the direction of Director General of Police,



who after investigation, found that the role of the informant (police) was not up to the mark as a result the informant was suspended and sent to the police line, which would be evident from Annexure-P/4.

6. He also submits that at the behest of police personnel, another First Information Report, bearing Goh Police Station Case No. 103 of 2025, has been lodged by the side of the encroachers against the petitioners under various sections of BNSS and SC/ST Act.
7. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and counter allegation made by the petitioners, including the other side of the villagers and the enquiry conducted by the Inspector General of Police against the informant and other police personnel, I am inclined to grant the petitioners privilege of anticipatory bail.
8. This application is, accordingly, allowed.
9. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate, Aurangabad, in connection with Goh Police
Station Case No. 101 of 2025, subject to the condition
laid down under Section 482 (2) of the Bhartiya Nagrik
Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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