

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57015 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- DHARHARA District- Munger

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Bhavesh Kumar S/o- Ramvalak Yadav Village-Kamaldah PS-Dharhara, Dist-
Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Kumar S/o- Yogendra Prasad Yadav Presently residing at Village-
Itwa PO-Itwa PS- Dharhara Dist- Munger, Permanent Address at sultanganj
Dist- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 08-12-2025 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Dharhara P.S. Case No. 75 of 2025 registered for the offences punishable under Sections 126(2), 352, 308(4), 109, 351(1), 3(5) of the B.N.S. and section 27 of Arms Act.

3. As per the prosecution case, informant submitted a written report on 12.05.2025 addressed to the S.H.O., Dharhara, stating therein that on the previous day, i.e., 11.05.2025, at about 11:30 p.m., Bhavesh Kumar (petitioner),



along with 3 to 4 unknown persons, came to his house and started abusing him. When the informant went outside the house, they continued abusing him, told him to vacate the house, and also fired at him with a pistol. On an earlier occasion, on 08.05.2025 at about 09:40 p.m., he had also abused him and demanded extortion money of Rs. 10 lakhs over mobile phone, otherwise he would have to vacate the house, and if he did not vacate it, they would misbehave with his wife and also threatened him with dire consequences. It is further stated that he had taken 2 *kattha* of land on lease for the period from 01.01.2012 to 31.12.2044 from the father of the petitioner, and after taking the lease, he constructed a house in which he resides along with his family. Thereafter, they told him to vacate the house.

4. Learned counsel for the petitioner submits that F.I.R. has been lodged against the petitioner, who is the landlord of the informant. It is stated that the informant, who is not vacating the rented room, has filed a false and frivolous case against the petitioner with the intention to terrorize and harass him. It is further submitted that there is allegation of firing against the petitioner; however, the supporting material, namely the production-cum-seizure list, is doubtful, as the



alleged occurrence took place on 11.05.2025, whereas the F.I.R. was lodged only on 12.05.2025, and the delay in lodging the F.I.R. has not been satisfactorily explained. In light of the aforesaid facts, the allegation against the petitioner is merely a bald statement just to harass him as he is the landlord of the informant. Apart from that, the petitioner having no criminal antecedent and he is quite innocent and has committed no offence as alleged in the F.I.R.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is F.I.R. named accused and he cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III-cum-Sub Judge IV, Munger in



connection with Dharhara P.S. Case No. 75 of 2025, subject to
the conditions as laid down under Section 482(2) of the
B.N.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

Nilmani/-

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