

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62435 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- PALASI District- Araria

Tej Narayan Biswas S/o Baleshwar Biswas R/o Vill- Maldwar, P.S.- Palasi,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 352, 351(2), 351(3), 3(5) of the B.N.S.

3. The allegation in the FIR is that all the accused persons, while forcibly trying to capture the informant's land, also indulged in abusing and assaulting the informant upon protest. The present petitioner assaulted the informant with an iron peg with the intention to kill, causing injury to his face and eyes, whereas the other accused persons also indulged in assault upon other persons.

4. Learned counsel for the petitioner submits that the incident has taken place out of *bonafide* land dispute and there



is case and counter-case. The case of the petitioner being Palasi P.S. Case No. 221 of 2025, which has also been brought on record by way of Annexure-P/2. It has further been argued that the land in question is actually the purchased land of the accused persons and hence the claim on the land has been made *bonafidely* by the petitioner and the accused persons. It has also been submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail on the ground of specific allegation of assault and the resultant injury.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that there is a specific allegation of assault against the present petitioner, which has caused a fracture of the bilateral nasal bones with soft tissue swelling, which is a serious injury caused to the informant, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Hence, the same is rejected.

(Soni Shrivastava, J)

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