

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66579 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- ADAPUR District- East Champaran

1. Jitendra Bhagat son of Late Rameshwar Bhagat Resident of Village -Shyampur PS -Aadapur District -East Champaran
2. Munita Devi Wife of Kishore Bhagat Resident of Village -Shyampur PS -Aadapur District -East Champaran
3. Sindhu Devi Wife of Jitendra Bhagat Resident of Village -Shyampur PS -Aadapur District -East Champaran
4. Sunita Devi wife of Ghanshyam Bhagat Resident of Village -Shyampur PS -Aadapur District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Anjali
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-09-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Adapur P.S. Case No. 178 of 2025, registered for the offences punishable under Sections 191(2), 126(2), 115(2), 118(1), 109, 303(2), 308(2), 329(3), 352, 351(2), 3(5) of the BNS, 2023.

3. Based upon the prosecution report, it is alleged that the petitioners and other accused persons are land *mafias* and an organized group engaged in land garbing. In the said process, all the accused persons variously armed arrived at the land of the



informant and demanded extortion of Rupees Five Lakhs and threatened not to construct boundary wall. When protest was made, all of them brutally assaulted. It is specifically alleged that co-accused Kishore Bhagat assaulted the informant by means of sharp cutting weapon and thereafter co-accused Rahul Pandey and Kundan Pandey assaulted him by means of sword. The accused persons have stolen away bricks and sand after destroying boundary wall.

4. Learned Advocate for the petitioners submitted that in fact, a case of land dispute has been given a colour of criminal case, moreover there is a counter version of the present case being Adapur P.S. Case No. 179 of 2025 instituted by the petitioner No. 4 against the informant and others. The narrations made in the FIR clearly suggest that the specific allegation has been attributed against co-accused Kishore Bhagat, Rahul Pandey and Kundan Pandey, who are not before this Court. The alleged occurrence is said to have taken place on 19.05.2025, but the present FIR has been instituted on 21.05.2025 and no explanation has been given. The petitioner Nos. 2, 3 and 4 have fair antecedent in their credit. So far petitioner No. 1 is concerned, he is facing one criminal case.

5. On the other hand, learned Advocate for the State



vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime.

6. Having considered the nature of allegation levelled against the petitioners, coupled with the factum of case and counter case as also the delay in lodging of the FIR, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Raxaul at Motihari/concerned court in connection with Adapur P.S. Case No. 178 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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