

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67222 of 2025

Arising Out of PS. Case No.-320 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Mamta Kumari Daughter of Bhagilal Sah Resident of village- Piprahiya, P.S- Bhagwanpur Hat, Dist- Siwan
2. Gouti Kumari @ Jyoti Kumari Daughter of Bhagilal Sah Resident of village- Piprahiya, P.S- Bhagwanpur Hat, Dist- Siwan
3. Parmeshwar Kumar @ Prameshwar Kumar Son of Bhagilal Sah Resident of village- Piprahiya, P.S- Bhagwanpur Hat, Dist- Siwan
4. Bhagilal Sah son of Late Nandi Lal Sah @ Late Nand Lal Sah Resident of village- Piprahiya, P.S- Bhagwanpur Hat, Dist- Siwan
5. Sushila Devi Wife of Bhagilal Sah Resident of village- Piprahiya, P.S- Bhagwanpur Hat, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhijeet Abhigyan, Advocate
For the State	:	Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Bhagwanpur Hat PS. Case No.- 320 of 2025 dated 12.07.2025, registered for the offences punishable under Sections 126(2), 115(2), 109 and 3(5) of BNS.

3. As per allegation, the petitioners along with co-accused were forcibly taking possession of the old house of the



informant and on objection, altercation took place causing injury to the family members of the informant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that informant and petitioners' side are agnates and there is land dispute between them. Even, previously there is a criminal case between them and on account of land dispute, altercation took place in which both sides sustained injury and case and counter have been filed and the counter case filed by the petitioners' side is Bhagwanpur Hat P.S. Case No. 321 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 74, 351(2) and 3(5) of BNS.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the case and counter case and injury on both sides, **this petition is allowed**, directing the petitioners



above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court below, in connection with Bhagwanpur Hat PS. Case No.- 320 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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