

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68932 of 2025

Arising Out of PS. Case No.-186 Year-2025 Thana- LALGANJ District- Vaishali

Ashok Kumar @ Ashok @ Rai @ Ashok Kumar Rai @ Ashok Rai S/O Jagat Rai Resident of Village - Sarariya Khanjahan Chak UrfSaidenpur, P.S.- Lalganj, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Srivastva, Adv.
For the State	:	Mr. Parmanand Prasad, APP
For the Informant	:	Mr. Shyameshwar Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Lalganj P.S. Case No. 186 of 2025 registered for the offence punishable under Sections 191(2), 126, 115(2), 118, 352, 351(3), 109, 303(2) of BNS, 2023.

3. As per prosecution case, due to previous land dispute, petitioner and others armed with iron rod, sword, lathi and danda came and started assaulting the informant and his father. It is alleged that co-accused Tejaswi assaulted the informant by means of iron rod as a result of which informant sustained injury on finger of left hand and below elbow of right hand. It is also alleged that co-accused Tejaswi stabbed iron rod



in the stomach of informant due to which informant sustained injury in the stomach. It is further alleged that co-accused Tejaswi and Jagat Rai concertedly assaulted the informant's father by means of iron rod due to which informant's father sustained injury on the head. It is further alleged that petitioner snatched gold locket of *Hanuman Ji* from the neck of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that there is no specific allegation of assault against the petitioner rather the same is general and omnibus in nature. Specific allegation of assault is against co-accused Tejaswi and Jagat Rai. There is only specific allegation of snatching gold locket of *Hanuman Ji* against the petitioner, which is nothing but ornamental in nature. He further submits that from the FIR itself, it is evident that there is land dispute between the parties and in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that present case is nothing but counter blast of Lalganj P.S. Case No. 185 of 2025 lodged by Jagat Rai (who is co-accused of present case) against



the informant and others and to save the skin from the aforesaid Lalganj P.S. Case No. 185 of 2025, the present case has been lodged by the informant. In the light of aforesaid facts and circumstances of the case, no offence, as alleged in the FIR, is made out against the petitioner.

5. The learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that petitioner has also participated in the alleged occurrence and hence, he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, there is no specific allegation of assault against the 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 186 of 2025, subject to the conditions as laid down



under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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