

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76813 of 2025

Arising Out of PS. Case No.-335 Year-2025 Thana- SAHARSA SADAR District- Saharsa

1. Ranjeet Sawarnkar Son of Chandu sawarnkar Resident Of Village- Nariyar Ward no. 8, Nagar Nigam, Ps- Saharsa Sadar, Dist- Saharsa
2. Rahul Sawarnkar @ Rahul Kumar son of chandu Sawarnkar Resident Of Village- Nariyar Ward no. 8, Nagar Nigam, Ps- Saharsa Sadar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No. 335 of 2025, dated 16.03.2025, registered for the offences punishable under Sections 191(2), 190, 115(2), 126(2), 118(1), 109, 76 and 303(2) of the B.N.S., 2023.

3. The allegation in the FIR is that as many as eight accused persons came variously armed into the courtyard of the informant and indulged in abuses and assault causing injuries to the informant and others.

4. Learned counsel for the petitioners submits that



the allegation upon petitioner no. 1 is that he had assaulted by means of sword upon the head of the husband of the informant, however, the injury report (Annexure-2) indicates injury on the parietal region, but the same is caused by hard and blunt substance and is also found to be simple in nature. So far as petitioner no. 2 is concerned, the allegation of assault upon the son of the informant has not resulted into any injury and there is no injury report on record which fact has been stated in paragraph no. 8 of the present application. It is further submitted that the incident took place on account of a dispute between *gotiyas* having land dispute and petitioner no. 2 has also lodged a case against the informant bearing Saharsa Sadar P.S. Case No. 353 of 2025 (Annexure-2).

5. Learned Additional Public Prosecutor for the State on the other hand vehemently opposes the prayer for grant of anticipatory bail to the petitioners.

6. Taking into consideration the facts and circumstances of the case and further considering the fact that the present incident is an outcome of case and counter case between *gotiyas* and the injuries attributable to the petitioner no. 1 is simple in nature while no injury has been caused at the hands of petitioner no. 2, let the petitioners, above-named, in the



event of their arrest or surrender before the Court concerned within a period of four weeks, be released on anticipatory bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with **Saharsa Sadar P.S. Case No. 335 of 2025**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS, and on further conditions:

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall cooperate in the process of investigation by appearing before the investigating officer as and when required and in case of non-cooperation, the prosecution would be at liberty to file an application for cancellation of bail bonds of the petitioners.

(Soni Shrivastava, J)

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