

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9538 of 2026

Arising Out of PS. Case No.-450 Year-2025 Thana- WARISLIGANJ District- Nawada

1. Ram Pravesh Kumar S/o Late Lakhan Das R/o Village- Gambhirpur, PS- Warisaliganj, Distt.- Nawada
2. Pradeep Kumar @ Paro Das S/o Late Bindeshwar Das @ late Sideshwar Das R/o Village- Gambhirpur, PS- Warisaliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Warisaliganj P.S. Case No. 450/2025 registered for the offences punishable under Sections 191(3), 190, 126(2), 329(3), 308(3), 351(2), 110, 115(2), 303(2), 352 and 127(2) of the B.N.S.

3. As per prosecution case, the informant had gone to attend the Shraddh ceremony of the father of co-villager Rajesh Kumar Ravi. In the meantime, when the petitioners and others variously armed with weapons told the informant near the house of co-accused Rajesh Kumar Ravi that the informant and



others had got the land registered from their father in the name of informant's Gotani Sunita Devi in December, 2024 and in lieu of that they demanded Rs. 5 lac as extortion (Rangadari). On protest, co-accused Rajesh Kumar Ravi and Anand Kumar entered into the house of the informant's Gotani and assaulted the son of Gotani Suraj Kumar by means of khanti on his head and co-accused Mimoh @ Mikki Kumar also assaulted him by means of iron rod. It is further alleged that Mitharth @ Rikki assaulted Suraj Kumar by means of butt of pistol, co-accused Rajesh Kumar Ravi and Baleshwar Kumar Ravi assaulted Laxmi Devi who was pregnant. It is further alleged that co-accused Rajesh Kumar Ravi and Sinki Kumari snatched gold ear-ring from Laxmi Devi and the accused persons assaulted her with lathi, danda.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. Petitioners bear no criminal antecedent. There is no specific allegation against the petitioners, rather, allegations are general and omnibus in nature. He further submits that allegation of assault to Suraj Kumar is against co-accused Rajesh Kumar Ravi, Anand Kumar and Mimoh @ Mikki Kumar. The petitioners are merely members of mob. He



further submits that petitioner no. 1 is said to have collided with co-accused Rajesh Kumar Ravi as a result of which petitioner no. 1 fell down on PCC road and sustained minor injury on head. He further submits that there is an inordinate delay of two days in lodging the FIR. The alleged occurrence took place on 28.08.2025 and the FIR was lodged on 30.08.2025. No plausible explanation has been given regarding the said delay, which questions the authenticity of the FIR. He further submits that there is case and counter case between both the parties and petitioners' side have lodged Warisaliganj P.S. Case No. 444/2025 and the present case is nothing but the counter blast of earlier case filed by the petitioners' side. He further submits that there is land dispute between the parties and in the cases of land dispute facts are generally exaggerated to make the case graver. He orally submits that the petitioners will not abscond rather will cooperate in the investigation to prove their innocence. In the light of the aforesaid submission, no case is made out against the petitioners under the aforesaid sections.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners are FIR named accused persons and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the



case, there is no specific role of assault attributed against the petitioners, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Nawada in connection with Warisaliganj P.S. Case No. 450/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

