

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10897 of 2026

Arising Out of PS. Case No.-68 Year-2025 Thana- DHANGAI District- Bhojpur

Bhim Singh S/O Late Kesho Singh R/O Village- Shiopur, P.S- Dhangai,
Distt.- Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari, Advocate
For the State : Mr. Sanjay Kumar Tiwary, APP
For the Informant : Md. Ataul Haque, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner is apprehending arrest in connection with Dhangai P.S. Case No. 68 of 2025, dated 22.11.2025, lodged under Sections 126(2), 115(2), 74, 352, 109, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner. The specific allegation against the petitioner is that he fired with a *desi katta* upon the informant’s side and also tried to outrage the modesty along with the other accused persons, and subsequently fled away from the place of occurrence.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that from the contents of the FIR, it becomes crystal clear that the dispute has arisen between the agnates regarding partition which could not take place among the five brothers, and due to this reason disputes have become a routine affair in the family. Counsel further submits that there is a case and counter case between the parties for the same date and place of occurrence. Counsel further submits that from the counter case filed by the petitioner's side, it transpires that the informant's side had inflicted injury upon the present petitioner by *farsa*. Counsel further submits that the injury report of the informant is also available, which is annexed as Annexure-P/2. It transpires from the injury report that the injury is simple in nature. Counsel also submits that the criminal antecedent of the petitioner is clean and he is aged about 70 years.

6. Learned counsel for the Informant, on the other hand, vehemently opposes the prayer for bail and submits that there is a specific allegation in the FIR against the petitioner of assaulting, causing injury, as well as firing.

7. Learned APP for the State also opposes the prayer for bail of the petitioner. However, he fairly submits that the



informant's side and the petitioner's side are agnates and the dispute relates to land, for which scuffling is a routine matter, as alleged in the FIR itself.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Addl. Chief Judicial Magistrate, Bhojpur at Ara, in connection with Dhangai P.S. Case No. 68 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. The Trial Court is hereby directed to verify the criminal antecedent of the petitioner, and in case it is found at any stage that the petitioner has concealed his criminal antecedent, the Trial Court shall take steps for cancellation of the petitioner's bail bond. However, the acceptance of the bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J.)

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