

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10395 of 2026

Arising Out of PS. Case No.-863 Year-2025 Thana- AMARPUR District- Banka

1. Shiv Ranjan Gond S/o- Dinesh Gond Village- Bhimsen, Police Station- Amarpur, District-Banka
2. Bittu @ Bikram Gond @ Vikram Kumar Gond S/o- Dinesh Gond Village- Bhimsen, Police Station- Amarpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Ajay Mukherjee, Advocate Mr. Chhotelal Mishra, Advocate Mr. Jyoti Prasad, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard learned Senior Counsel for the petitioners,
learned Counsel for the informant and learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Amarpur P.S. Case No. 863 of 2025, lodged on 01.12.2025, under Sections 126(2)/115(2)/329(4) /109(1) /74 / 303(2)/352/351(2)/3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against ten named accused persons including the present petitioners. The specific allegation against the present petitioners is that they have



assaulted the victim by iron rod with a view to kill on the head of the victim due to which he was brutally injured.

4. Learned Senior Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that petitioners and informant both are relatives and resident of the same village. He submits that there is case and counter case from both the sides. The earlier case has been filed by the petitioners' sides and later case has been filed by the informant side. He submits that from the FIR itself it transpires that the custom of Haldi was going on in the family in between scuffling took place which resulted into the injury.

5. Learned Counsel for the informant, who appeared *suo motu*, vehemently opposes the prayer for bail and submits that it is true that both parties are relative, but the way in which the petitioners have assaulted by which grievous injury has been caused the petitioners may not deserve anticipatory bail.

6. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that it is a case which has taken place between the family members and on the occasion of function the dispute arisen and scuffling took place between the parties.

7. It transpires from the record that both are relatives and in family function the informant and the petitioners side were



present during which the dispute has arisen which resulted into injury.

8. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Banka, in connection with Amarpur P.S. Case No. 863 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. And further condition that the Trial Court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

Mkr./-

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

