

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13925 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- NAUBATPUR District- Patna

1. Rakesh Kumar Son of Ganga Saw Resident of Village - Bichhedi, P.S. - Naubatpur, Dist. - Patna.
2. Dharmendra Kumar @ Dharmendra Saw @ Harmendra Saw Son of Ganga Saw Resident of Village - Bichhedi, P.S. - Naubatpur, Dist. - Patna.
3. Chitranjan Saw @ Chitranjan Kumar Son of Ganga Saw Resident of Village - Bichhedi, P.S. - Naubatpur, Dist. - Patna.
4. Sunny Kumar Son of Ganga Saw Resident of Village - Bichhedi, P.S. - Naubatpur, Dist. - Patna.
5. Ganga Saw Son of Late Chamru Saw Resident of Village - Bichhedi, P.S. - Naubatpur, Dist. - Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajesh Kumar Sharma, Advocate
For the State : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-03-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Naubatpur P.S. Case No. 363 of 2025, dated 14.06.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 75, 352 and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per prosecution case, petitioners and co-accused persons with a common objective assaulted the son and daughter-in-law of the informant and fractured their heads. They



also assaulted the nephew of the informant who intervened in the matter. The assailants also tried to outrage the modesty of the wife and the sister of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. No specific overt act has been attributed to the petitioners and the allegations are general, omnibus and sweeping, implicating the entire family of the petitioners. Learned counsel further submits that the place of occurrence is said to be a mango orchard, which is standing over a piece of disputed land and the said land is the subject matter of Title Suit No. 10 of 2022, and the said Title Suit is pending before the Court of learned Sub-Judge-II, Danapur, between petitioner no. 5, Ganga Saw, and the informant, Dinanath Saw. In the said Title Suit, learned Sub-Judge-I, Danapur *vide* order dated 30.09.2022, granted an order of status quo, restraining both the parties from changing the character and nature of the disputed land. Despite the subsisting injunction order, the informant illegally entered in the disputed land with an intention of committing theft and to alter the nature of the land, and the same was objected by petitioner nos. 4 and 5. There is counter version and Ram Kumari Devi, the wife of petitioner no. 5, filed



a Complaint Case No. 627 (C) of 2025 against the informant and others under Sections 303, 304, 75, 115, 118(1) and 307 of the B.N.S., 2023. In the said complaint, it has been alleged that the informant of this case along with his son, nephew and four to five unknown persons illegally entered the disputed mango orchard despite subsisting injunction order. Learned counsel further submits that Miscellaneous Case No. 24 of 2024 has also been filed against the informant for violating the injunction order dated 30.09.2022, passed by the learned Sub-Judge-I, Danapur in Title Suit No. 10 of 2022, and the said Miscellaneous Case is still pending for adjudication. Learned counsel further submits that the true fact of the case is that the informant's side attacked the petitioners and other co-accused persons due to existing civil dispute, the informant deliberately instituted this false case against the petitioners. The learned counsel lastly submits that the petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and non-specific nature of allegation against the



petitioners and also considering the fact that injuries inflicted upon the injured persons are found to be simple in nature and further considering the clean antecedent of the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, be released on 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 Additional Chief Judicial Magistrate-VI, Danapur, Patna, in connection with **Naubatpur P.S. Case No. 363 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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