

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16684 of 2026

Arising Out of PS. Case No.-87 Year-2025 Thana- SUHAIL District- Gaya

1. Ramchandra Mistry Son of Prasad Mistry Residents of Village - Sewati Tola Bara, P.S.- Suhail, District- Gayaji
2. Pintu Mistry son of Ramchandra Mistry Residents of Village - Sewati Tola Bara, P.S.- Suhail, District- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Suhail P.S. Case No. 87 of 2025 lodged on 18.11.2025, for the offence punishable under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2), 76, 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioners. The allegation against the petitioners is that they have assaulted the informant by iron *khanti*, due to which, injury has been caused to the informant on his head and his hand was also



broken.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the informant and the petitioner no.1 are full brothers and the scuffling took place between them due to agricultural work related to potato. He submits that on the previous occasion, case diary as well as injury report have been called for to identify the fact and nature of the injury. Counsel submits that the petitioner no.1 has clean antecedent, but the petitioner no.2 has one criminal antecedent, in which, he is on bail. He further submits that it is a petty land dispute and for the same date and place of occurrence, there are case and counter case from both the sides i.e. one case has been lodged from the petitioners' side bearing Suhail P.S. Case No. 88 of 2025 and the present case has been lodged from the informant's side bearing Suhail P.S. Case No. 87 of 2025.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the informant and the petitioner no.1 are full brothers and the petitioner no.2 is the nephew of the informant and for agricultural work related to potato, dispute occurred between them. He submits that scuffling took place from both the sides and injuries have been



caused to both the sides.

6. 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 Trial Court 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 B.N.S.S., 2023 to the satisfaction of S.D.J.M., Sherghati, Gaya Ji, in connection with Suhail P.S. Case No. 87 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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