

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18068 of 2026

Arising Out of PS. Case No.-879 Year-2025 Thana- VAISHALI District- Vaishali

1. Ashok Kumar Sharma @ Ashok Sharma Son of Late Rajendra Prasad Sharma Resident of Village - Dharampur, P.S.- Vaishali, District - Vaishali, Bihar.
2. Binay Kumar Sharma Son of Late Rajendra Prasad Sharma Resident of Village - Dharampur, P.S.- Vaishali, District - Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aditi Sharma, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-04-2026 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Vaishali P.S. Case No. 879 of 2025 dated 12.12.2025 registered under Sections 126(2), 115(2), 329(3), 109(1), 352, 351(2), 3(5) of the B.N.S. 2023.

3. As per the first information report on 11.12.2025 at around 3:30 P.M. while the informant was sitting at his door and construction work upon his land was going on, the petitioners arrived there, abused him and assaulted by means of butt of pistol and iron rod and when the brother of the informant Sanjay Kumar Dixit intervened, he was also assaulted by the petitioners.



4. Ms. Aditi Sharma, learned counsel for the petitioners submits that both the parties are co-villagers and there is land dispute between them. The dispute between the parties is with regard to a passage passing through the land of the petitioners. There is delay in lodging the F.I.R. inasmuch the occurrence has taken place on 11.12.2025 at about 3:30 P.M. but the F.I.R. has been lodged after delay of 24 hours on 12.12.2025 at about 4:00 P.M. On 12.12.2025 at 5:45 A.M. in the morning the informant's side tried to break the main gate of petitioners' house and enter into the house and started abusing their staff and other persons by calling the caste name. The petitioners' side lodged an F.I.R. on the very same day bearing Vaishali P.S. Case No. 880 / 2025 i.e. on 12.12.2025 at about 4:05 P.M. The injury sustained by the informant is simple in nature. Learned counsel next submits that C.C.T.V. footage does not show use of iron rod and it merely shows only altercation and scuffle between the parties. The petitioner no. 1 is a retired professor and the petitioner no. 2 is a well established businessman.

5. Learned counsel for the informant and State opposed the prayer for anticipatory bail and submits that petitioners are named in the F.I.R. and there is specific allegation against them.

6. Regard being had to the submission made by the parties,



taking into consideration the fact that both the parties are co-villagers having previous land dispute, the side of the petitioners also filed case against the informant's side on the date of lodging of the F.I.R. by the informant, injury sustained by the informant is simple in nature and the petitioner no. 1 is a retired professor aged about 65 years, accordingly, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge -10, Vaishali, Hajipur in connection with Vaishali P.S. Case No. 879 of 2025 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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