

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23679 of 2026

Arising Out of PS. Case No.-103 Year-2025 Thana- Lokha District- Supaul

1. Gauneshwar Mehta Son of Late Fudan Mehta Resident of Village - Jhahura Ward No. 2, P.S- Laukaha, District - Supaul.
2. Bhupendra Mehta Son of Guneshwar Mehta Resident of Village - Jhahura Ward No. 2, P.S- Laukaha, District - Supaul.
3. Sikandar Mehta Son of Guneshwar Mehta Resident of Village - Jhahura Ward No. 2, P.S- Laukaha, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-06-2026 The Court proceeding is being conducted through virtual mode.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. Learned counsel for the petitioners submit that during pendency of the bail application, the petitioner no. 3 has been arrested. Therefore, he submits that he is not pressing this bail application with regard to the petitioner no. 3.

4. Accordingly, the present anticipatory bail application stands dismissed as having become infructuous only with regard to the petitioner no. 3 namely, Sikandar Mehta.



5. The petitioner nos. 1 and 2 are apprehending arrest in connection with Laukaha P.S. Case No.103 of 2025 lodged on 12.12.2025, for the offence punishable under Sections 126(2), 115(2), 118(1), 76, 303(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

6. As per the prosecution, FIR has been lodged against 10 named accused persons including the petitioners. The allegation against the petitioner no.1 is that he is the order giver and on his instance, the petitioner nos. 2 and 3 have assaulted the informant as well as his nephew, due to which, injury has been caused. Further allegation of snatching jewellery and cash is also there in the FIR.

7. Learned counsel for the petitioners submit that the petitioner nos.1 and 2 are innocent and have committed no offence. He submits that admittedly the date of occurrence is 29.11.2025, but the FIR has been lodged on 12.12.2025. Counsel further submits that the informant and accused persons are agnates and due to land dispute, scuffling took place between the parties which is apparent from the cause of dispute alleged in the FIR itself. Counsel further submits that the present FIR has been filed with the delay of about 13-14 days. He submits that for the same date and place of occurrence, the



petitioners' side have also filed a criminal case against the informant's side before the Chief Judicial Magistrate, Supaul. He submits that open fight took place from both the sides due to which, both parties injured. He submits that the injury reports of the informant and his nephew have been annexed which show that the injury is grievous in nature with regard to the informant's nephew and the injury of the informant is simple in nature. He further submits that the petitioner nos.1 and 2 have clean antecedent.

8. Learned APP for the State opposes the prayer for bail of the petitioner nos.1 and 2 but fairly submits that there is an admitted land dispute between the parties, there is also a delay of about 13-14 days in filing the FIR, parties are agnates and the petitioner no.1 is the order giver. The petitioner no.3 has been arrested, therefore, this anticipatory bail application has become infructuous for him.

9. As such, in the present facts and circumstances of this case considering that the parties are resident of the same village and are agnates, there is an admitted land dispute, there is also a delay of about 13-14 days in filing the FIR as well as there is case and counter case from both the sides, therefore, let the above named petitioner nos.1 and 2 be released on 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 Judicial Magistrate 1st Class, Supaul, in connection with Laukaha P.S. Case No.103 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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