

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23893 of 2026

Arising Out of PS. Case No.-578 Year-2025 Thana- KATEYA District- Gopalganj

Jitendra Chauhan @ Jitendra Son of Runa Chauhan @ Runa Resident of
Village- Parsauni, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, 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 petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Kateya P.S. Case No. 578 of 2025, dated 14.10.2025,
lodged under Sections 126(2), 118(1), 115(2), 109, 303(2), 74
and 352 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter
referred to as “BNS, 2023”).

4. As per the prosecution, an FIR has been lodged
against eight named accused persons, including the present
petitioner. The specific allegation against the present petitioner,
along with one Dharmendra Chauhan, is that they touched the
daughter of the informant with bad intention and further



assaulted the informant, namely, Manbhawati Devi, with a lathi on her head, due to which she sustained injuries.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the husband of the informant and the father of the petitioner are full brothers, they are basically agnates, and due to a land dispute, several cases have been instituted between the agnates, for which FIRs have also been lodged on earlier occasions. Counsel further submits that the criminal antecedent of the petitioner is not clean, as the same informant has filed two criminal cases against the petitioner, and in both cases he is on bail. In addition to that, there is one more criminal case pending against the petitioner in which he is also on bail. Counsel further submits that, with respect to the same date and place of occurrence, case and counter-case have been filed by both the petitioner and the informant side, which have been annexed as Annexures 1 and 2 to the present bail application. Counsel further submits that, on the earlier occasion, this Hon'ble Court was pleased to call for the case diary along with the injury report with a view to verify the injury allegedly caused to the informant by the petitioner and one other co-accused, namely, Dharmendra Chauhan. Counsel further



submits that it is a family dispute, and due to the land dispute, scuffles used to take place.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the case diary has been called for, in which the injury report has been attached.

7. Upon perusal of the injury report of Manbhawati Devi (informant), it transpires to this Court that there are three injuries. The first injury is a lacerated wound on the forehead, the second injury is back pain, and the third injury is abdominal pain. All three injuries are simple in nature, whereas the allegation against the present petitioner is of assault by a *farsa*. A *farsa* ordinarily causes a sharp-cut injury and not a lacerated wound. Upon perusal of the FIR, it transpires that injuries were sustained by both parties, and the injury report does not correspond with the allegation made in the FIR.

8. Considering the facts and circumstances of the present case, let the above-named petitioner 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) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M-VIth, Gopalganj in connection with



Kateya P.S. Case No. 578 of 2025, subject to the conditions as
laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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