

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25687 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- MUSAHARI District- Muzaffarpur

Bhola Bhagat @ Bhola Singh Son of Late Ramsurat Bhagat Resident of
Village- Nawada, P.S.- Mushahari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mr. Purushottam Kumar, Advocate Ms. Somali Acharya, Advocate Ms. Sushmita Mishra, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Brahmaputra Singh Ishu, Advocate Ms. Poonam Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-04-2026 Heard the learned counsel for the petitioner, the learned
A.P.P. appearing for the State and the learned counsel appearing on
behalf of the informant.

2. The petitioner apprehends his arrest in connection
with Musahari P.S. Case No.8 of 2026, for allegedly having
committed offences under Sections 329(3), 126(2), 115(2), 109(1),
118(1), 117(2), 303(2) and 3(5) of the B.N.S., 2023.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant, to the
effect that on 05.01.2026, at about 10:00 a.m, his co-villagers,
including the petitioner came armed with an intention to capture
the land, which is situated about 200 meters from his house. When



the informant went to his land, all the accused persons started abusing him. On his protest, accused, Prabhat Kumar ordered to kill the informant, upon which, all the accused persons started assaulting the informant with *Lathi* and *Danda*. The allegation against the petitioner is that he pressed the neck of the informant with a towel and on *Hulla*, when the local people came there, all the accused persons fled away. Thereafter, the informant was brought to Primary Health Centre, Mushahari and from there, he was taken to S.K.M.C.H., Muzaffarpur where he gave his *fardbeyan*.

4. The learned counsel for the petitioner submits that there is dispute in between the parties for 7 decimals of land, which the petitioner's family purchased and planted trees about 20 years back. There is case and counter case in between the parties and Aarti Kumari, wife of one Sudhakar Kumar (co-accused) also lodged Mushahari P.S. Case No.10 of 2026 for the same occurrence. It is further submitted that the petitioner has got a clean antecedent.

5. The learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for bail of the petitioner. The learned counsel for the informant submits that the petitioner had pressed the neck of the informant with his towel, which caused serious injuries to him. It is further



submitted by the learned counsel for the informant that the injury suffered by the informant has been opined to be grievous in nature and the petitioner does not deserve bail.

6. Having heard the learned counsel for the parties and after going through the records, it appears that there is land dispute in between the parties from before and for the same occurrence dated 05.01.2026, case and counter case have been lodged by both the parties. Further, from the impugned order, passed by the learned Principal District & Sessions Judge, Muzaffarpur, it appears that the injury sustained by the informant has been found to be fracture of right femur, which is opined to be grievous in nature. The said injury is not attributed to the petitioner and is also not on the vital part of the body.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur (East) in connection with Musahari P.S. Case No.8 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal



antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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