

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31203 of 2026

Arising Out of PS. Case No.-256 Year-2025 Thana- BAUNSI District- Banka

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1. Pappu Gandharv S/o- Laxmikant Gandharv @ Laxman Gandharw R/v- Sanjhotari Ps- Bounsi Dist- Banka
 2. Aditya Kumar S/o- Pappu Gandharv R/v- Sanjhotari Ps- Bounsi Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sanjay Kumar Jha, Advocate
For the State	:	Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bounsi P.S. Case No. 256 of 2025 for allegedly having committed offences under Sections 191(2), 190, 126(2), 115(2), 109 and 74 of 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 the date of occurrence, the petitioners were digging boring in the land, for which title suit is going on. When the uncle and aunt of the informant went to stop them, the accused persons started assaulting them by means of Lathi and iron rod. The allegation against petitioner no.1 is that he



assaulted the uncle of the informant, namely, Abhikant Yadav on his head with an iron rod, due to which he suffered injuries. The allegation against petitioner no.2 is that he assaulted the aunt of the informant with a stick on her nose, due to which she also suffered injuries.

4. The learned counsel for the petitioners submits that both the parties are agnates and there is land dispute in between them, which has been admitted in the First Information Report itself. The present occurrence is said to have been caused due to previous land dispute in between the parties. He further submits that for the same occurrence, the wife of petitioner no.1 has also lodged a First Information Report bearing Bounsi P.S. Case No.257 of 2025 against the informant and his family members. He submits that from perusal of the injury reports, which has been annexed as Annexure-P.2 (series) to the present anticipatory bail petition, it would transpire that the injuries suffered by the uncle of the informant has been found to be simple in nature, however the injuries suffered by the aunt of the informant on her nose has been found to be grievous in nature by the treating doctor. He further submits that the petitioners have got a clean antecedent.

5. *Per Contra*, the learned APP appearing on behalf



of the state opposes the prayer for grant of anticipatory bail to the petitioners and submits that the doctor has found one of the injuries on the nose of the aunt of the informant to be grievous in nature.

6. Having considered the rival submissions and after going through the records, it appears that there was free fight in between the parties for which a case and counter case has been lodged. Petitioner no.1 is said to have assaulted the uncle of the informant, however he suffered simple injuries. Petitioner no.2 is said to have assaulted the aunt of the informant on her nose, due to which she suffered fracture of both nasal bones and fracture of nasal septum and the doctor has found the injuries to be grievous in nature and further the injuries are on vital part of the body.

7. Taking into consideration the facts aforesaid, let petitioner no.1, 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 Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No.256 of 2025, 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 petitioner no.1 and in case at any stage it is found that petitioner no.1 has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. 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.

8. So far the prayer for grant of anticipatory bail to petitioner no.2 is concerned, considering that he assaulted the aunt of the informant on her nose causing grievous injuries, the prayer for grant of anticipatory bail to petitioner no.2 is hereby rejected.

(Ritesh Kumar, J.)

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