

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33439 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- NIMCHAKBATHANI District- Gaya

1. Nitin Rajvanshi @ Nitish Kumar Son of Ashok Rajvanshi @ Asha Rajvanshi @ Ashok Kumar Resident of Mohalla- Dhakani, P.S.- Neemchak Bathani, District- Gaya.
2. Pankaj Rajvanshi @ Pankaj Kumar Son of Ashok Rajvanshi @ Asha Rajvanshi @ Ashok Kumar Resident of Mohalla- Dhakani, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

2. Petitioners apprehend their arrest in connection with Neemchak Bathani P.S. Case No.30 of 2026 registered for the offences under Sections 126(2), 115(2), 352, 109, 34, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that while she was cleaning her field for construction of a house, the named accused persons, including the petitioner, arrived there and started abusing and assaulting the informant. It



is alleged that one co-accused, namely Ajit Rajvanshi, assaulted the informant with a pistol, due to which he sustained head injuries. It is further alleged that when the villagers arrived, all the accused persons fled away after throwing the pistol.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of general and omnibus allegations of abuse and assault. It has further been submitted that the specific allegation of assaulting the informant with the butt of the pistol is upon co-accused Ajit Rajvanshi, and it is he who is said to have fled away after throwing the pistol. It has next been submitted that the informant and Runi Devi belong to the same family and on account of a land dispute between the families, the petitioners and others have been implicated in the present case with general and omnibus allegations. It has lastly been submitted that the petitioners carry clean antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Neemchak Bathani P.S. Case No.30 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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