

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33996 of 2026

Arising Out of PS. Case No.-108 Year-2025 Thana- BANMANKHI District- Purnia

1. Udichand Rishi @ Udichandra Rishi son of Mahendra Rishi Resident of village- Lachha Bhatta Rosadh, ward no. 03 Harimudhi P.S. -Banmankhi District -Purnea
2. Naval Kishor Rishi Son of Tarachand Rishi Resident of village- Lachha Bhatta Rosadh, ward no. 03 Harimudhi P.S. -Banmankhi District -Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioners and learned APP
for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Banmankhi P.S. Case No. 108 of 2025 dated 05.04.2025 registered for the offence punishable under Sections 132, 121(1), 326 of the B.N.S., 2023.

3. As per prosecution case, the accusation against the petitioners is of attacking the Government officials of District Administration and police personnel when they went to vacate the illegal encroachment done by the petitioners and others on the land of the Government of Bihar.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence as alleged in the F.I.R. and have falsely been implicated in the present case. It is next submitted that in connivance with the land broker, the District Administration is said to have taken steps for removing the petitioners along with other family members, who are residing on the land, in question. It is the case of the petitioners there is no injury caused to any of the persons rather there is counter version to the entire incident which is said to have been lodged by the co-accused Jaimala Devi bearing Banmankhi P.S. Case No. 39 of 2024 under Sections 341, 323, 504, 506, 354(b), 34 of the I.P.C. and Sections 3(i)(r)(s)/3(2)(v) of the SC/ST Act against two land brokers and to build pressure, the Informant has lodged the instant case against the petitioners. It has further been submitted that by the impugned order, all the accused persons have been extended the privilege of anticipatory bail except the petitioners, who were having criminal antecedents, while there is no specific allegation of any overt act against them. It is lastly submitted that the petitioner no.1 has two criminal antecedent in which he is on bail whereas the petitioner no.2 has three antecedents in which he is also on bail.

5. On the other hand, the learned APP for the State has



opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties and considering the fact that no injury has been sustained by any person and other co-accused, having similar allegations, have already been extended the privilege of anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S. Case No. 108 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds.

(Ajit Kumar, J)

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