

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38445 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- PAHARPUR District- East Champaran

Jitendra Kumar @ Jitendra Singh S/O Late Ambika Singh R/O Village- Siswa
Bajar, Rambaran Sah Ka Tola, P.S.- Paharpur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-06-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 351(2) and 3(5) of the B.N.S., 2023.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 06.01.2026 at 6.30 P.M. his grandson and granddaughter were playing at the doorstep, when petitioner along with named accused persons came and started assaulting the children, when informant tried to save them, petitioner assaulted him by farsha causing injury on his head, thereafter he fell and Ashok took his



thumb impression on a blank paper as accused persons intended to grab his land as land dispute is ensuing in between the parties, further accused persons also assaulted his wife by fist and when his daughter intervened, the accused assaulted her and tore her cloths and snatched her ear-ring.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant on account of dispute relating to measurement of land. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 06.01.2026 and the FIR came to be instituted on 11.01.2026 i.e. after a delay of five days without any plausible explanation. It is also submitted that from side of the petitioner, Paharpur P.S. Case No.27 of 2026 has been instituted against the informant and others. It is next submitted that a specific plea has been made in the anticipatory bail application at Para-14 and 15 that on the alleged date of occurrence, a scuffle took place on account of dispute relating to measurement of land, in which both side assaulted each other and petitioner along with his mother received various injuries on head and accordingly the aforesaid Paharpur P.S. Case No.27 of 2026 was instituted prior to the instant F.I.R. as such the instant FIR is a counter blast. It



is also submitted that the injury suffered by the injured has been opined to be simple in nature and the blow is not alleged to have been repeated.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Paharpur P.S. Case No.28 of 2026, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

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