

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36651 of 2026

Arising Out of PS. Case No.-75 Year-2026 Thana- BARARI District- Bhagalpur

Nilesh Kumar S/O Rupesh Kumar Singh R/O - 88, Special Central Jail, P.S-
Tilkamanjhi, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-06-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Barari P.S. Case No. 75 of 2026 registered for the offences punishable under Sections 191(1)(2)(3), 61(2), 308(3)(4), 111(1) of BNS.

3. As per FIR petitioner alongwith other nine named co-accused person alleged to breach oral status-quo order of the SDM, Bhagalpur and also SHO, Barari P.S. qua a disputed piece of land.

4. It is submitted by learned counsel appearing on behalf of the petitioner that there was no order of SDM and SHO in writing to maintain "*status quo*" and just to



aggravate the allegation it was alleged that petitioner breached the *status-quo* order. It is submitted that eight person apprehended from spot disclosed the name of this petitioner. It is also pointed out that admittedly the recovered documents not suggest any involvement of petitioner with present crime in question and as this petitioner executed one agreement with land owner which was said disputed through FIR, he was also named with present crime in question otherwise he himself is the victim of the circumstances. Petitioner claimed clean antecedent.

5. Arguing further it is submitted that in view of clean antecedent alleged activity of petitioner cannot be said continuing un-lawful activity within the meaning of Sub-clause 1(ii) of Section 111 of BNS and therefore, the allegation *qua* involvement of petitioner with organized crime not appears convincing.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as admittedly there is no order *qua* maintaining *status-quo* in writing and further the implication



of the petitioner appears on the basis of suspicion arising out of disclosure made by apprehended co-accused person in the background of land dispute, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur /concerned Court, where the case is pending in connection with Barari P.S. Case No. 75 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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