

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37002 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- KHANPURA District- Samastipur

1. Tilleshwar Jha Son of Sitaram Jha R/V- Rajwara Ward No.- 9, P.S.- Khanpur, District - Samastipur
2. Bablu Jha Son of Tilleshwar Jha R/V- Rajwara Ward No.- 9, P.S.- Khanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Kumar Praveen, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 324(4), 109(1), 303(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 09.03.2026 at about 10:20 PM, he was sleeping at his door when all the FIR named accused persons including the petitioners along with 4-5 unknown accused came variously



armed and started abusing the informant, on protest, the accused persons said that the constructed building of the informant is on their land, thereafter, Tilkeshwar Jha gave orders to destroy the house and the goods, on which accused persons started destroying the household articles and when informant intervened, Sonu assaulted informant by an iron rod causing injury on head, thereafter Jitan assaulted by *dabia* on his neck, but missed and the blow hit on his left hand causing injury on finger, thereafter Bablu and co-accused Lalit tied a rope around the neck of the informant and dragged causing suffocation.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is next submitted that the date of occurrence is 09.03.2026 and the FIR has been instituted on 02.04.2026 i.e. after a delay of more than 24 days which casts an aspersion on the case of the prosecution. It is further submitted that even the FIR does not disclose the name of the hospital where the informant was treated. It is next submitted that it does not appear probable that had the informant been assaulted in the manner as alleged, in that event the hospital would have informed the police that an injured has been admitted in the hospital who had suffered assault. It is further



submitted that specific allegation of assaulting the informant on his head is against Sonu and as far as present petitioners are concerned, the allegation against them is general and omnibus in nature. It is reiterated and submitted that it does not appear probable that had the informant been assaulted in the manner as alleged and would have been under treatment in a hospital for 25 days, in that event the hospital would not have informed the police or any family members of the informant would not have instituted an FIR, which definitely casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the FIR has been instituted after a delay of 25 days based on written application of the informant.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Khanpur P.S. Case No. 68 of 2026 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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