

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42067 of 2026

Arising Out of PS. Case No.-38 Year-2026 Thana- MEDNI CHAUKI District- Lakhisarai

1. Anjali Devi S/o Ashok Pasean Village- Khawa, P. S. - Mednichowki, District- Lakhisarai.
2. Sunita Devi W/o Vinod Paswan R/o Khawa, P.S. - Medinichowki, Dist. - Lakhisarai.
3. Sanjula Devi @ Sanju Devi W/o Shrawan Paswan R/o Khawa, P.S. - Medinichowki, Dist. - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Meena Singh, Advocate
For the informant	:	Mr. Md. Irshad, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned Counsel for the informant.

2. The petitioners who apprehend arrest in connection with Medinichowki P.S. Case No. 38 of 2026 lodged on 24.02.2026, for the offences punishable under sections 126(2), 115(2), 109(1), 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against four named accused persons including the petitioners. The allegation against the petitioners is that in the background of erecting cement pillar for creation of boundary wall, the dispute has been arisen among co-villagers, informant and the petitioners, wherein scuffling took place between them and the



people from both the sides got injured.

4. Learned counsel for the petitioners submits that for the same date and place of occurrence, there is case and counter case from both the sides. A bare perusal of both the FIRs, itself suggest that the dispute has taken place in the background of erecting cement pillar for construction of boundary wall on a particular piece of land for which both the parties are claiming. Counsel for the petitioners further submits that the antecedent of the petitioners is not clean as against Petitioner No. 1 there are four cases and Petitioner No. 2 there is one case, against Petitioner No. 3 there are three cases and all the cases have been lodged by the informant's side only. The dispute is long pending dispute. Learned Counsel for the petitioners further submits that both the parties are co-villagers and the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them in the event of granting bail.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that there is specific allegation of assault by the petitioners to the informant's side due to which grievous injuries have been caused. He further submits that it is true that there is case and counter case between the parties for the same date and place of occurrence in the



background of land dispute.

6. Learned APP for the State opposes the prayer for bail and submits that both parties are resident of the same village and in the background of erecting cement pillar, the dispute has taken place which resulted into injuries from both sides and there is case and counter case between the parties.

7. Considering the genesis of the dispute which is land dispute, wherein, scuffling took place between the parties and the people from both the sides have received injury, let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the learned Court of J.M-1st class, Lakhisarai, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*.

(Dr. Anshuman, J)

Manshi/Ashwini

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