

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39972 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- BYPASS District- Patna

1. Rahul Kumar Son Shambhu Prasad Resident of village- Khajekalan Pani Tanki, Kasera Toli, PS- Khajekalan, Patna City, Dist- Patna
2. Shambhu Prasad Son of Late Dwarika Prasad Resident of village- Khajekalan Pani Tanki, Kasera Toli, PS- Khajekalan, Patna City, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan

For the Opposite Party/s : Ms. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 316(2), 318(4), 305, 308(3), 3(5) of the B.N.S, 2023.

3. Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of one case and the informant alleges that he along with his brother had purchased the machine from Shambhu Prasad in the year 2023, further they had taken a warehouse on rent from Jwala Prasad, further rent of the warehouse was being paid in terms of the agreement entered,



but Shambhu and Jwala started demanding higher rent, on protest they used to put lock on the warehouse, it is next alleged that they committed theft of the machine along with grains, further when informant wanted to vacate the warehouse, Jwala Prasad demanded Rs. 5 lakhs in lieu of releasing his machine and grain, further on 01.03.2025 at 11:00 AM, accused persons including the petitioners abused and assaulted his brother Umesh who had gone to the warehouse.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the FIR has been instituted in backdrop of a landlord tenant dispute. It is further submitted that petitioner no. 1 is son of Shambhu Prasad and against him no specific allegation is alleged and petitioner no. 2 is Shambhu Prasad who is a senior citizen aged about 67 years and against him it is alleged that he along with Jwala committed theft of his machine and grain but as submitted and recorded earlier, the occurrence is to be viewed in backdrop of landlord tenant dispute.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.



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 Bypass P.S. Case No. 90 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. The application stands allowed.

(Satyavrat Verma, J)

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