

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43961 of 2026

Arising Out of PS. Case No.-370 Year-2026 Thana- GARDANIBAG District- Patna

Rahul Kumar S/o Ashok Rai @ Ashok Ram Resident of Mohalla - Janki Path,
New Damariya, Gardanibagh, P.S. - Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gardanibagh P.S. Case No.370 of 2026 registered for the offences punishable under Sections 329(3), 329(4), 126(2), 109(1), 115(2) 74, 351(2), 352 and 3(5) of the BNS and Section 27 of the Arms Act.

3. Allegedly, in the midnight of 01.05.2026, the petitioner barged into the house of the informant; resorted to open firing, caught hold of the informant's husband and dragged him out and further assaulted. It is further alleged that the petitioner also misbehaved with her during the incidence. The prosecution further alleges that the petitioner had earlier also misbehaved with them in a similar manner.



4. Learned Advocate for the petitioner contended that the parties are neighbors and from the F.I.R., it appears that the dispute has arisen on account of a pre-existing land dispute between them. It is submitted that, on account of the said dispute, an altercation took place, which culminated in the institution of the present F.I.R. with an oblique motive to wreak vengeance and put pressure upon the petitioner. It is further submitted that, although the F.I.R. refers to similar earlier incidents, it nowhere discloses that any complaint or F.I.R. had ever been lodged in respect thereof. Learned counsel also submitted that, as per the allegations contained in the F.I.R., no person sustained any injury in the alleged occurrence. Moreover, the petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State opposed the bail application.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and the nature of allegations leveled against the petitioner, coupled with his fair antecedent and the fact that none has sustained injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna in connection with Gardanibagh P.S. Case No.370 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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