IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48757 of 2026

CNR No. BRHC010695342026

Arising Out of PS. Case No.-52 Year-2026 Thana- EKANGARSARAI District- Nalanda

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Dhananjay Kumar, Son of Mahesh Prasad, Resident of Ruchanpura, P.S.- Ekangarasarai, District- Nalanda, Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dr. Ranjeet Kumar, Advocate Mr. Rohan Sinha, Advocate Mr. Sanjeev Kumar, Advocate Ms. Lakshmi Kumari, Advocate Mr. Rajnish Prakash, Advocate
For the Informant	:	Mr. Shashank Chandra, Advocate
For the State	:	Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 20-11-2026 Heard learned counsel appearing on behalf of the petitioner; learned counsel for the informant and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Ekangarsarai P.S. Case No. 52 of 2026 registered for the offence punishable under Sections 115(2), 117(2), 109(1), 329(3), 61(2), 74, 76, 351(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioner along with other accused persons, with an intention to kill, had allegedly assaulted the informant and her family members by means of deadly weapon, causing injuries on the different parts

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of the body.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and they have falsely been implicated in the present case. Both the parties, who are *gotia*, were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury to the informant side, without intention. Present case is counterblast of Ekangarsarai P.S. Case No. 48 of 2026, which was lodged by the petitioner side against the informant and others arising out of the same incidence. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. *Per contra*, Mr. Shashank Chandra has tendered appearance on behalf of the informant and submitted that the petitioner and the informant are *gotia* and due to land dispute, the incidence took place, in which, the petitioner along with other accused persons, with an intention to kill, had assaulted the informant and her family member causing grievous injury, as such, petitioner don't deserve to be released on pre-arrest bail.

6. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail.

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7. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the material, which has surfaced in course of investigation, I find that it is admitted that both the parties are descendant of common ancestor and there is long standing land dispute between them, due to which, an altercation took place and both the sides entered into fierce fight and petitioner, in his self defence, may have caused some injury to the informant side, without intention. There is case and counter case between the parties arising out of the same incidence. There is no question of pre-meditation arises. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Ekangarsarai P.S. Case No. 52 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

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9. **The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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