

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51395 of 2026**

Arising Out of PS. Case No.-260 Year-2025 Thana- KRITYANAND NAGAR District-  
Purnia

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1. Bhawendra Kumar S/o Late Surya Narayan Mahto R/o vill- Jawaharnagar,  
Daini, Thana- K.Nagar, District- Purnea
  2. Dharendra Kumar S/o Late Surya Narayan Mahto R/o vill- Jawaharnagar,  
Daini, Thana- K.Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate  
For the Opposite Party/s : Mrs. Madhuri Lata, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      29-07-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with K. Nagar P.S. Case No. 260 of 2025, dated 15.10.2025, lodged under Section 191(2), 191(3), 126(2), 115(2), 109, 118(1), 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the FIR has been lodged against eight named accused persons, including the present petitioners, alleging that the accused persons reached the field of the informant. Upon being opposed, the petitioners along with other accused persons assaulted the informant, due to which injuries were caused to the informant and his relatives.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that, from the contents of the FIR, it becomes crystal clear that the occurrence took place due to a land dispute. Counsel further submits that, with respect to the said date and place of occurrence, there is a case and counter-case between the parties. Counsel also submits that, regarding the said land, a title suit is pending between the parties before the Sub Judge-I, Purnea, bearing Title Suit No. 244 of 2025. Counsel further submits that the criminal antecedents of the petitioners are not clean, as 11 cases are pending against petitioner No. 1, in which he has been acquitted in seven cases and is on bail in four cases, and one criminal case is pending against petitioner No. 2. Counsel further submits that, during the scuffle, petitioner No. 1 also sustained serious injuries, which are grievous in nature, and the injury report is annexed as Annexure-4.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that there is a case and counter-case between the parties. Counsel also submits that injuries have been caused from both sides and the dispute relates to land.



6. Considering the facts and circumstances of the present case, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Purnea, in connection with K. Nagar P.S. Case No. 260 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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