IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71833 of 2026

CNR No. BRHC011012532026

Arising Out of PS. Case No.-101 Year-2026 Thana- KORHA District- Katihar

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1. Rahul Kumar @ Rahul Kumar Hadi S/O Shambhu Hadi @ Shambhu Haari Resident of Village- Musapur, Police Station- Korha, District- Katihar
2. Gourav Kumar @ Gourav Kumar Hadi S/O Shambhu Hadi @ Shambhu Haari Resident of Village- Musapur, Police Station- Korha, District- Katihar
3. Rohit Hadi @ Rohit Hari S/O Bishvanath Hadi Resident of Village- Musapur, Police Station- Korha, District- Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ratnakar Ambastha, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-10-2026 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 103(1) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioners no. 2 and 3 are persons with clean antecedent and the informant alleges that her husband (deceased) had purchased 12.45 decimals of land in her name in the year 2023 from Basu. The land after purchase was mutated and rent was being paid. It is

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further alleged that on 02.04.2026 informant along with her husband had gone on their land and saw a *Machan* built on the land and, on enquiry, it transpired that *Machan* was built by Geeta (sister of Basu), her husband (Shambhu) and sons (Gaurav and Rahul) with the help of Ajay and Bishwanath (brother of Basu). On objection, Geeta said that Basu sold her share in the land also without her consent, thus, informant said to remove the *Machan*. It is next alleged that on 04.04.2026, at 07:30 p.m., the husband of the informant went to see the land and thereafter she got an information that a quarrel has ensued on the land and accused persons are assautling her husband, thus, she along with her mother-in-law came and saw nine named accused persons including the petitioners assaulting her husband. It is further alleged that Gourav Kumar @ Gourav Kumar Hadi (petitioner no. 2) assaulted her husband by lathi causing injury on head and Rahul Kumar @ Rahul Kumar Hadi (petitioner no. 1) assaulted by lathi on chest and her husband became unconscious. On alarm, people gathered and accused persons fled away and her husband was referred to GMCH, Purnea, where doctors declared him dead.

4. Learned counsel appearing on behalf of the petitioners, after some arguments, seeks permission to withdraw

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the anticipatory bail application with respect to petitioners no. 1 and 2, namely, Rahul Kumar @ Rahul Kumar Hadi and Gourav Kumar @ Gourav Kumar Hadi.

5. Permission is accorded.

6. Accordingly, the prayer for anticipatory bail with respect to petitioners no. 1 and 2 is dismissed as withdrawn.

7. Learned counsel for the petitioner no. 3 submits that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault against the petitioner no. 3 is general and omnibus in nature. It is further submitted that petitioner no. 3 is son of Bishvanath Hadi, who is brother of Basu, as such, the informant implicated him with an intent to coerce Bishvanath Hadi and his family into submission. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner no. 3, the petitioner no. 3 will not abscond rather will cooperate in the investigation to prove his innocence. It is also submitted that petitioner no. 3 is a young boy, aged about 20 years and if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with the hardened criminal. It is reiterated and submitted that no specific allegation of assault is alleged against the petitioner no. 3.

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8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 3.

9. Considering the submissions made by the learned counsel appearing on behalf of the petitioner no. 3, let the petitioner no. 3, above-named, in the event of his 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) 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 Korha P.S. Case No. 101 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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