IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74969 of 2026

CNR No. BRHC011059562026

Arising Out of PS. Case No.-179 Year-2026 Thana- SARAI RANJAN District- Samastipur

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1. Runa Devi S/o Vimlesh Jha @ Vimlesh Kumar Jha Resident of Village - Manika, Ward No.-02, P.S.-Sarairanjan, District - Samastipur.
2. Indra Mohan Jha S/o late Ram Chandra Jha Resident of Village - Manika, Ward No.-02, P.S.-Sarairanjan, District - Samastipur.
3. Rahul Kumar Jha S/o Sanjay Kumar Jha Resident of Village - Manika, Ward No.-02, P.S.-Sarairanjan, District - Samastipur.
4. Sanjay Kumar Jha S/o Indra Mohan Jha Resident of Village - Manika, Ward No.-02, P.S.-Sarairanjan, District - Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gajendra Kr. Jha, Advocate
Mr.Surya Kant Mishra, Advocate
For the Opposite Party/s : Mr.Brajendra Nath Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 05-11-2026 Heard Mr. Gajendra Kr. Jha, learned counsel appearing on behalf of the petitioners and Mr. Brajendra Nath Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Sarairanjan P.S. Case No. 179 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 118(1), 303(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the allegation made in the F.I.R., the

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informant was allegedly obstructed by the accused persons while he was going to fetch fodder for his cattle. On his objection, co-accused Vimlesh Kumar Jha assaulted him with an iron *khanti* on the right side of his head, causing bleeding injuries. Petitioner no. 2 assaulted the informant with an iron rod on his chest, waist and back, whereas other accused persons also assaulted him. When the informant's brother came to his rescue, he was also allegedly assaulted by the accused persons, and petitioner no. 4 is alleged to have snatched the informant's gold chain.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case due to an existing land dispute between the parties, who are descendants of the same grandfather and are neighbours. He further submitted that a partition suit bearing Partition Suit No. 42 of 2026 is pending between the parties before the learned Sub-Judge-I, Samastipur, in respect of their ancestral property. Learned counsel further submitted that there is a case and counter-case between the parties arising out of the same occurrence. Both sides have sustained injuries, which are simple in nature. On these grounds, the petitioners seek to be released on pre-arrest bail.

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5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the F.I.R., the nature of the dispute between the parties, there is case and counter-case arising out of the same incidence, the pendency of the partition suit in respect of the ancestral property and the injuries sustained are simple in nature, I am of the opinion that the petitioners have, *prima facie*, made out a case for grant of pre-arrest bail.

7. Accordingly, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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 J.M.F.C., Samastipur, in connection with Sarairanjan P.S. Case No. 179 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as

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what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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