IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74268 of 2026

CNR No. BRHC011066782026

Arising Out of PS. Case No.-54 Year-2026 Thana- RAJPUR District- Rohtas

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1. Raj Bihari Singh S/o Late Jagbahadur Singh R/o Village - Kapsiyan, P.S.- Rajpur, District- Rohtas.
2. Mithilesh Kumar Singh S/o Raj Bihari Singh R/o Village - Kapsiyan, P.S.- Rajpur, District- Rohtas.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Nagendra Upadhyay, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Nagendra Upadhyay, learned counsel appearing on behalf of the petitioners and Mr. Md. Fahimuddin, learned APP appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with Rajpur P.S. Case No. 54 of 2026, registered for the offences punishable under Sections 115(2), 126(2), 109, 118(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the allegation made in the F.I.R., the petitioners and another co-accused allegedly assaulted the informant with *lathi*, *danda* and other weapons. It is further alleged that petitioner no. 2 assaulted the informant on his head, while petitioner no. 1 allegedly snatched a golden locket from

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his neck and instigated the other accused to kill him.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners and the informant are *gotiyas* and there is a pending land dispute between them. He submitted that the present case arises out of a trivial dispute between the parties, which resulted in a quarrel. He further submitted that, as per the injury report dated 30.06.2023, the injuries found on the parietal region of the informant's head were simple in nature. The petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

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 and considering the nature of the dispute between the parties, the allegation of assault and the injury report indicating that the injuries sustained by the informant were simple in nature, I am of the opinion that the petitioners having clean antecedent have, *prima facie*, made out a case for grant of pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or

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surrender before the learned District Court within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bikramganj, Rohtas, or the successor court, in connection with Rajpur P.S. Case No. 54 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, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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