IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74863 of 2026

CNR No. BRHC011068742026

Arising Out of PS. Case No.-196 Year-2026 Thana- SHAHPUR PATORI District- Samastipur

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1. Rupesh Kumar S/O Bhani Prasad Ray R/V-Chakarman, PS- Shahpur Patory, Distt- Samastipur
2. Chhotu Kumar S/O Bhani Prasad Ray R/V-Chakarman, PS- Shahpur Patory, Distt- Samastipur
3. Bhani Prasad Ray @ Bhani Ray S/O Ram Ekbal Ray R/V-Chakarman, PS- Shahpur Patory, Distt- Samastipur
4. Laxam Kumar @ Ram Laxman Kumar S/O Late Shambhu Prasad Ray R/V-Chakarman, PS- Shahpur Patory, Distt- Samastipur
5. Ram Ratan Kumar @ Ram Ratan Ray S/O Late Shambhu Prasad Ray R/V-Chakarman, PS- Shahpur Patory, Distt- Samastipur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 04-11-2026 Heard learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Shahpur Patori P.S. Case No. 196 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 119(1), 303(2), 352, 3(5) & 109(1) of the BNS.

3. Allegedly, on the given date and time of occurrence, eleven named accused persons, including the petitioners, variously armed, came at the door of the informant and threw the minor nephew of the informant, due to which, he became unconscious. It is further alleged that all the accused

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persons thereupon assaulted Kishandeo Rai with an iron rod, and when Manju Devi and Indu Devi came to save the injured persons, they were also assaulted by petitioner nos. 4 and 5, along with others. There is further allegation against the other accused persons of causing assault and snatching valuables; besides damaging the property of the informant.

4. Learned Advocate for the petitioners submitted that, with reference to an occurrence,, which took place on18.06.2026, the present FIR came to be instituted on 20.06.2026, without there being any plausible explanation for the delay. The incident, in question, is said to be nothing but a counterblast to Shahpur Patory P.S. Case No. 195 of 2026; in the said incident, the members of the petitioners' side have also sustained serious injuries. Both sides are own gotiyas, and there are two partition suits pending between them, bearing Partition Suit No. 22 of 2022 and Partition Suit No. 62 of 2025. The genesis of the occurrence is said to be a land dispute, which led to the institution of six criminal cases, three from the petitioners' side and three from the informant's side. The injuries allegedly attributed to the petitioners are not grievous in nature, and in the aforesaid premise, a prayer for anticipatory bail has been made.

5. On the other hand, learned Advocate for the State

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vehemently opposed the bail application and submitted that the petitioners had actively participated in the crime and brutally assaulted the informant and other persons, due to which, they sustained serious injuries.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of the genesis of the occurrence, coupled with the nature of injuries attributed to the petitioners; besides the delay in lodging of the FIR, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Shahpur Patory, Samastipur in connection with Shahpur Patori P.S. Case No. 196 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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