

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80633 of 2025

Arising Out of PS. Case No.-180 Year-2025 Thana- VAISHALI District- Vaishali

1. Satish Kumar, aged about 23 years, Male, Son of Umesh Singh Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
2. Sanjeev Kumar, aged about 25 years, Male, Son of Umesh Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
3. Vishwajeet Kumar, aged about 26 years, Male, Son of Ramesh Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
4. Sujeet Kumar, aged about 23 years, Male, Son of Ramesh Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
5. Ankit Kumar, aged about 19 years, Male, Son of Ramesh Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
6. Kamlesh Singh, aged about 47 years, Male, Son of Late Rajendra Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.
7. Ramesh Singh, aged about 50 years, Male, Son of Late Rajendra Singh, Resident of village- Karneji, P.S.- Belsar O.P., District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP
For the Informant : Mr. Jainendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection
with Vaishali P.S. Case No. 180 of 2025 instituted for the
offences punishable under Sections 191(2), 126(2), 329(3),
109(1), 303(2), 115(2), 118(1) and 352 of the BNS.

3. As per allegation in the FIR, all the accused persons



including the present petitioners assaulted the informant and his family members by means of iron rod, sharp cutting weapon and bamboo stick, due to which, informant and his brother were injured and further alleged that petitioners and other co-accused persons have snatched a gold chain from the neck of the informant and also snatched Rs. 18,000/-.

4. Learned counsel for the petitioners submits that petitioners are innocent have committed no offence and have falsely been implicated in this case only on the basis of land dispute attributed between the parties. He submits that there is general and omnibus allegation of assault upon all the petitioners. He further submits that petitioners and informant are neighbor as well as pattidars and the informant always trying to implicated the petitioners in false and concocted case due to land dispute. He next submits that the injury upon the informant and his brother are simple in nature. Petitioners have got criminal antecedent except petitioner no. 5 as stated in para- 3 of the petition.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioners.

6. From perusal of the FIR and the impugned order of



the learned Additional Sessions Judge-III, Vaishali at Hajipur dated 20.08.2025, it appears that on the basis of written report of the informant, namely, Mantosh Kumar, FIR has been registered under Sections 191(2), 126(2), 329(3), 109(1), 303(2), 115(2), 118(1) and 352 of the BNS against all the co-accused persons including the present petitioners and the allegation is that the petitioners assaulted the informant, informant's brother and his family members with iron rod, sharp cutting weapon and bamboo stick, due to which informant's head was injured. From perusal of the impugned order, it appears that the allegation against the petitioners are that they used sharp cutting weapon, bamboo stick and iron rod but no specific sharp cutting weapon have been mentioned in the impugned order only reference has been made in para 37 of the case diary that the informant Mantosh Kumar and Chootu Kumar were injured but the injury report states that the injuries are found to be simple in nature and no other description has been mentioned in the impugned order. There is case and counter case attributed between both the parties due to land dispute and the petitioners have one criminal antecedent except petitioner no. 5 , so considering all these aspects of the case and submissions of learned counsel for the parties, I am inclined to grant anticipatory bail to the above



named petitioners.

7. Accordingly, these petitioners above named in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail 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 Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 180 of 2025, subject to the conditions laid down in Section 482(2) of the BNSS.

(Ramesh Chand Malviya, J)

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