IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75679 of 2026

CNR No. BRHC011091682026

Arising Out of PS. Case No.-348 Year-2026 Thana- SONEPUR District- Saran

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1. Ramesh Kumar Sharma @ Ramesh Sharma S/O Late Ramji Sharma R/O Vill.- Baijalpur Kesho, Naya Tola, P.s.- Sonpur, Dist.- Saran.
2. Vishal Kumar S/O Ramesh Kumar Sharma @ Ramesh Sharma R/O Vill.- Baijalpur Kesho, Naya Tola, P.s.- Sonpur, Dist.- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ratan Kumar, Advocate
Mr. Pranav Bhaskar, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, 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 Sonpur P.S. Case No. 348 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 324(4), 324(5), 308(4), 351(2), 352 and 3(5) of the BNS.

3. The allegation against the petitioners is of demanding extortion money to the tune of Rs. 5,000/-; besides extending threats to the informant and his wife by pointing a pistol and setting fire to the harvested crops, due to which, the informant has sustained a loss of approximately Rs. 50,000/-.

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4. Learned Advocate for the petitioners submitted that, from a bare perusal of the FIR, it is evident that the alleged occurrence took place in the morning of 05.04.2026, and the *Sanha* diary entry was made on 06.04.2026, but the present FIR came to be instituted on 08.04.2026. The delay clearly suggests exaggeration and false implication of the petitioners in the premise of a land dispute. The allegation, even if taken to be true for the sake of argument, regarding the demand of Rs. 5,000/- as extortion money and pointing a pistol towards the informant and others, appears to be unfounded, inasmuch as there is no specific accusation against the petitioners of setting the harvested crops on fire. The petitioners are carrying one criminal antecedent; however, both are presently on bail. The informant and the petitioners are owners of adjoining agricultural land, and there is a long-standing boundary dispute, and the present FIR is nothing but a move to settle the dispute through a criminal case.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of

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the fact that in the said incident none has sustained any injury; besides the genesis of the occurrence is said to be a land dispute, 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 Chief Judicial Magistrate, Saran, Chhapra in connection with Sonpur P.S. Case No. 348 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners are found indulging in threatening the informant or witnesses, or are found involved in any such incident in future, the informant or the prosecution shall be at liberty to file an application for cancellation of their bail.

(Harish Kumar, J)

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