IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77228 of 2026

CNR No. BRHC011104292026

Arising Out of PS. Case No.-316 Year-2026 Thana- PALIGANJ District- Patna

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1. Vishal Kumar S/o Arun Yadav @ Arun Kumar R/o Village - Divpali, PO - Paliganj, PS - Paliganj, District - Patna.
2. Golu Kumar S/o Arun Yadav @ Arun Kumar R/o Village - Divpali, PO - Paliganj, PS - Paliganj, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Suraj Narain Yadav, Adv.
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 05-11-2026 Heard learned Advocate for the petitioners and learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Paliganj P.S. Case No.316 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109(1), 351(2), 352 and 3(5) of the BNS, 2023.

3. The allegation against the petitioners is of causing assault to the father-in-law and mother-in-law of the informant with the help of other accused persons by means of lathi and iron rod, leading to serious injuries.

4. Learned Advocate for the petitioners, referring to the FIR, primarily contended that the genesis of the occurrence lies in a partition dispute, which culminated in a scuffle between

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the parties, leading to unfortunate injuries to persons of both the sides. Prior to the institution of the present case, the petitioners' mother had instituted Paliganj P.S. Case No. 315 of 2026. So far as the injuries sustained by injured Sushila Devi are concerned, the same have been opined to be simple in nature. However, injured Tara Yadav is stated to have sustained two injuries, one over her nose and the other over her left elbow, besides disfigurement of her face. However, none of the injuries are specifically attributed to the petitioners; rather, an omnibus nature of allegation has been leveled against all the accused persons. Taking note of the aforesaid facts, co-accused Vikash Kumar, who is facing identical allegation, has been extended the privilege of anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 62132 of 2026 *vide* order dated 07.10.2026, the copy of which is brought on record as Annexure-P-5 to the bail application. Moreover, the petitioners are carrying fair antecedent and undertake that they will fully cooperate with the proceedings of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the FIR has been specifically instituted with an allegation that the petitioners along with other co-accused persons have brutally

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assaulted the in-laws of the informant which led to grievous injury to one of the injured, and as such, in such circumstances, they do not deserve the privilege of anticipatory bail.

6. Considering the rival submissions advanced by learned Advocates for the respective parties and taking note of the omnibus nature of allegation, coupled with the fact that the case of the petitioners is based on parity with that of the accused person, who has been extended the privilege of anticipatory bail, besides the genesis of the occurrence is said to be a partition dispute and the petitioners are carrying fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Danapur, Patna in connection with Paliganj P.S. Case No.316 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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