IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76238 of 2026

CNR No. BRHC011109512026

Arising Out of PS. Case No.-101 Year-2026 Thana- FESHAR District- Aurangabad

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1. Abhay Kumar Son of Pramod Ram Resident of Village- Pokhraha, P.S.- Fesar, District- Aurangabad (Bihar).
2. Arvind Ram Son of Rajgir Ram Resident of Village- Pokhraha, P.S.- Fesar, District- Aurangabad (Bihar).
3. Pramod Ram Son of Rajgir Ram Resident of Village- Pokhraha, P.S.- Fesar, District- Aurangabad (Bihar).
4. Nitish Kumar @ Nitish Ram Son of Surendra Ram Resident of Village- Pokhraha, P.S.- Fesar, District- Aurangabad (Bihar).
5. Ankit Kumar @ Ankit Ram Son of Vidhan Ram Resident of Village- Pokhraha, P.S.- Fesar, District- Aurangabad (Bihar).

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners apprehend arrest in connection with Fesar P.S. Case No. 101 of 2026 lodged on 09.08.2026, for the offence punishable under Sections 190, 191(2), 191(3), 126(2), 115(2), 117(2), 351(2), 352, 109(1), 118(2), 121(2), 121(1), 132, 324(5) and 61(2) of the B.N.S., 2023, pending in the court of Additional Chief Judicial Magistrate, Seventh, Aurangabad.

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3. As per the prosecution case, FIR has been lodged against twenty-seven named accused persons including the present petitioners. It has been alleged that FIR has been lodged by the ASI of the police station alleging that the dispute taken place between the Paswan Community and the Ravidas Community. It has been alleged in the FIR that the Ravidas Community has surrounded the daughter of Paswan community. It is due to this reason the people of both the community were standing there and they interested to attack each other. When police reached on the spot, then the accused persons started assaulting the police party and brutally injured the police party and petitioners were involved in attacking the police party.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that dispute is going on between the Ravidas Community and Paswan Community. Counsel submits that police has unnecessarily filed the criminal case against the petitioners. Counsel further submits that criminal antecedent of all the petitioners are clean except the petitioner No. 2 as there is one case pending against him in which he is pursuing bail.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the contents of FIR,

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it become crystal clear that the petitioners have no respect for law as police party reached there to make peace and to resolve the dispute, but in spite of respecting the police, the accused persons have assaulted the police party.

6. As such, in the present facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

7. However, liberty is granted to the petitioners that if they surrender before the concerned Trial Court within a period of four weeks from today then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day absolutely and strictly according to the law, without being prejudiced by the fact that the anticipatory bail application of the petitioners has been rejected by this Court, and the Trial Court shall pass order on the merits of the case.

(Dr. Anshuman, J)

Divyansh/-
Anjali/-

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