

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91191 of 2025

Arising Out of PS. Case No.-203 Year-2024 Thana- RAJPUR District- Rohtas

1. Munna Kumar @ Vivek Kumar S/o- Heera Singh R/v- Chapra Ps- Rajpur Dist- Rohtas
 2. Sanoj Kumar S/o- Hridyanand Singh R/v- Chapra Ps- Rajpur Dist- Rohtas
 3. Manoj Kumar S/o- Hridyanand Singh R/v- Chapra Ps- Rajpur Dist- Rohtas
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Choubey, Adv.
For the Opposite Party/s : Mr. M K Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajpur P.S. Case No. 203 of 2024, registered for the offences punishable under Sections 191(2), 126(2), 115(2), 352, 351(2) and 109 of the BNS.

3. Allegedly on the fateful day, on account of a land dispute, in which all the FIR named accused persons, including the petitioners and twelve named accused persons, were forcefully trying to construct house over the land, in question, the same was protested by the informant and others. In course of such occurrence, the petitioner no. 1 has assaulted one *Bhaiya Ram Singh* by means of *farsa*, due to which he sustained head injury. There is further allegation against other accused persons of causing assault to other injured persons. So far the petitioner



nos. 2 and 3 are concerned, there is omnibus nature of allegation of causing assault.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that initially omnibus nature of allegation has been levelled against ten named accused persons with twelve unknown persons of causing assault, but only with a view to put pressure and wreck vengeance, the name of the petitioner no. 1 has been implicated in this case with specific accusation. In the said incidence where several persons had assaulted the informant and other persons, the precise statement of the informant against the petitioner no. 1 appears to be not trustworthy. Moreover, the petitioners are men of fair antecedent and they undertake that they will fully co-operate in the proceeding of the Court. All the more, the genesis of the occurrence is nothing but a land dispute.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that so far the petitioner no. 1 is concerned, there is specific accusation of causing assault over the head of *Bhaiya Ram Singh*, who has sustained grievous injury.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the specific accusation against the petitioner no. 1 of causing



grievous injury to the injured *Bhaiya Ram Singh*, this Court is not persuaded to enlarge the petitioner on anticipatory bail. So far the petitioner nos. 2 and 3 are concerned, there is omnibus nature of allegation against them, besides they are also having fair antecedent, let the **petitioner nos. 2 and 3** 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 Judicial Magistrate First Class, Bikramganj in connection with Rajpur P.S. Case No. 203 of 2024, 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.

7. Suffice it to observe that if the petitioner no. 1 ensure his surrender before the jurisdictional Court, preferably within a period of four weeks from today, his prayer for regular bail shall be considered without being prejudiced by the order of this Court, on its own merit.

(Harish Kumar, J)

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