

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.358 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- ANTICHAK District- Bhagalpur

1. Om Prakash Rishi @ Mandal @ Omprakash Mandal Son of Sri Upendra Mandal Resident of Village - Laxmipur Bavania, P.S. - Kahalgaon, District - Bhagalpur
2. Parmanand Rishi Son of Prabhu Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
3. Fakir Rishi @ Krishna Mohan Rishi Son of Late Bajrangi Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
4. Suresh Rishi Son of Late Bajrangi Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
5. Gautam Kumar @ Gautam Rishi Son of Kishan Dev Rishi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur
6. Shrawan Kumar Son of Ramesh Manjhi Resident of Village - Rishi Tola, Hari Chak, P.S. - Antichak, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yeshu
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 09-04-2026 1. At the very outset, learned counsel for the petitioners submits that during pendency of this application the petitioner no. 4- Suresh Rishi has been arrested.
2. Accordingly, this application is dismissed as infructuous qua the petitioner no. 4- Suresh Rishi.
3. Heard the parties.
4. The remaining petitioners apprehend their arrest in connection with Kahalgaon (Antichak) P.S. Case No. 62 of



2024 dated 19.05.2024 registered under Section 147, 148, 149 , 341, 323, 326, 307, 354 of the I.P.C.

5. As per the F.I.R. on 18.05.2024 the petitioners along with other accused persons, armed with iron rod, sword and other weapons arrived at the residence of the informant and the petitioner no. 1, 2 , 6 along with other accused persons assaulted by iron rod to the family members of the informant. The petitioner no. 3 assaulted the husband of the informant namely Dhananjay Rishi by sword. The petitioner no. 4 along with the co-accused assaulted on the head of the son of the informant namely Sunil Kumar. The petitioner no. 5 assaulted other members of the informant's family.

6. Learned counsel for the petitioners submits that both the parties are neighbours and there is land dispute between them. A counter case has been lodged by the side of the petitioners against the informant and others bearing bearing Kahalgaon (Antichak) P.S. Case No. 63 of 2024 dated 19.05.2024. Altogether four persons have sustained injury out of whom the injury sustained by two persons is simple in nature except Dhananjay Rishi, who has received grievous injury. Assault to Dhananjay Rishi is attributable to the petitioner no. 3 / Fakir Rishi @ Krishna Mohan Rishi.



7. On the other hand, learned counsel for the informant and State opposed the prayer for anticipatory bail and submits that the petitioners are named in the F.I.R. and all of them have assaulted the informant and family members of the informant. The specific allegation of assault by means of sword on the head of the informant's husband Dhananjay Rishi is against the petitioner no. 3 namely, Fakir Rishi @ Krishna Mohan Rishi. The injury on the head of Dhananjay Rishi has been found to be grievous in nature.

8. Regard being had to the submission made by the parties, taking into consideration the fact that specific allegation of assault on the head of the informant's husband is against the petitioner no. 3 and the injury sustained by the victim is grievous in nature, as such, I am not inclined to grant anticipatory bail to the petitioner no. 3- Fakir Rishi @ Krishna Mohan Rishi. The same is rejected.

9. Insofar as the petitioner nos. 1, 2, 5 & 6 are concerned, the allegation against them is general and omnibus in nature, there is case and counter case due to land dispute between the parties, accordingly, I am inclined to grant anticipatory bail to the petitioner no. 1, 2, 5 & 6.

10. Let the petitioner no. 1, 2, 5 & 6 , above named, be released



on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Antichak) P.S. Case No. 62 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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