

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9673 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- Balwahat District- Saharsa

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1. Niraj Kumar Sinha S/O Bisheshwar Prasad @ Bisheshwar Prasad Sinha Resident of Madanpur, Ward No. 1, P.S- Balwahat, District- Saharsa.
 2. Kailash Kumar Sinha S/O Bisheshwar Prasad @ Bisheshwar Prasad Sinha Resident of Madanpur, Ward No. 1, P.S- Balwahat, District- Saharsa.
 3. Sonali Prakash @ Sonali Prakash Sinha W/O Navin Prakash Sinha Resident of Madanpur, Ward No. 1, P.S- Balwahat, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Kumar Singh, Advocate
		Mr. Rahul Sinha, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Balwahat PS. Case No. 143 of 2024, registered for the offences punishable under Sections 74, 190, 191(2), 126(2), 115(2), 117(2), 109, 303(2), 351(2), 352 of B.N.S.

3. As per the allegation, the petitioners and other co-accused entered into altercation with the informant saying that the land belongs to him, causing injury on her head.

4. Learned counsel for the petitioners submits that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that the accused and informant's side are agnates and there is land dispute between them. He further submits that there was altercation on account of possession of certain parcel of land, leading to free fight. He also submits that counter case has also been filed by the accused side bearing no. Balwahat P.S. Case No. 144 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, in connection with



Balwahat P.S. Case No. 143 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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