

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12275 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- Kanaria District- Saharsa

1. Ram Chandar Singh @ Ramchandra Singh Son of Late Sadhu Singh
Resident of Ward no. 12, Belwara, P.S.- Kanaria, District - Saharsa, Bihar
2. Chitrarekha Devi @ Chitrarekha Devi Wife of Ram Chandar Singh @
Ramchandra Singh Resident of Ward no. 12, Belwara, P.S.- Kanaria, District
- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Subesh Sharma, learned counsel

appearing on behalf of the petitioners and Mr. Kanhiya Kishor,

learned APP appearing on behalf of the State.

2. The petitioners apprehends their arrest in
connection with Kanriya P.S. Case No. 4 of 2024 registered
under Sections 127(i), 115(2), 109, 3(5) of the BNS and Section
27 of the Arms Act.

3. As per the allegation made in the FIR, the
petitioners along with other co-accused assaulted the informant.

4. Learned counsel appearing on behalf of the
petitioners submitted that the petitioners are innocent and have
falsely been implicated in the present case. He further submitted



that dispute regarding cutting of bamboo tree from the land which belonged to the family of the petitioner no.1, who is the own brother of the informant and petitioner no.2, who is his sister-in-law of the informant and both the petitioners are of advance age i.e. 76 years and 75 years respectively. There is land dispute between the parties due which an altercation took place and in course of the same the petitioners may have caused injuries to the person of the informant without intention. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is land dispute between the parties, due which an altercation took place and in course of the same the petitioners may have caused injuries to the person of the informant without intention. I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court 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 Judicial Magistrate First Class, Saharsa in connection with Kanriya P.S. Case No. 4 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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