

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15544 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- PHENHARA District- East Champaran

1. Bittu Thakur @ Bittu Kumar Son of Mannu Thakur Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)
2. Munna Thakur @ Mannu Thakur Son of Ram Japu Thakur Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)
3. Bali Ram Shukla Son of Shiv Varan Shukla Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)
4. Ravi Prakash Thakur @ Ravi Prakash Son of Chunnu Thakur Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)
5. Amit Shukla @ Amit Kumar Shukla Son of Bali Ram Shukla Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)
6. Golu Thakur @ Golu Kumar Son of Chunnu Thakur Resident of Village - Fulwaria, Police Station - Fehnaha, District - East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pushpendra Kumar Singh, Advocate
		Smt. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Initially, it is submitted by the learned counsel for the petitioners that the present case has been filed in connection with Fenhara P.S. Case No. 126 of 2024, but due to an inadvertent error, 'Fenhara P.S. Case No. 127 of 2024' has been mentioned in the prayer portion of the petition. Therefore, learned counsel for the petitioners seeks permission to correct this error.



2. Permission is granted. Counsel for the petitioners is directed to make the necessary correction during the course of the day.

3. Heard learned counsel for the petitioners and learned APP for the State.

4. The petitioners who apprehend arrest in connection with Fenhara P.S. Case No. 126 of 2024 lodged 12.10.2024, for the offences punishable under sections 115(2), 126(2), 127(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26 and 35 of the Arms Act.

5. As per the prosecution, the F.I.R. has been lodged against six named accused persons (petitioners), against whom it is alleged that they all assaulted the grandson of the informant. Upon protest by the informant's side, the accused persons began firing, causing injury to Deepak Thakur and Nikhil Thakur.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that both the informant and the petitioners' side are resident of same village and adjacent neighbour with land dispute scuffling took place between them ultimately. He further submits that nothing happened rather firing took place from both the sides but no-one was injured. Learned counsel



further submits that the informant's side has filed Fenhara P.S. Case No. 126 of 2024 whereas the petitioners' side has lodged Fenhara P.S. Case No. 127 of 2024. The antecedents of the petitioners are clean.

7. Learned APP for the State opposes the prayer for bail.

8. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offense. It is further submitted that both the informant's side and the petitioners' side are residents of the same village and adjacent neighbors, with a land dispute that ultimately led to a scuffle between them. He further submits that nothing significant occurred except that firing took place from both sides, but no one was injured. Learned counsel also submits that the informant's side has lodged Fenhara P.S. Case No. 126 of 2024, whereas the petitioners' side has lodged Fenhara P.S. Case No. 127 of 2024. The antecedents of the petitioners are clean.

9. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha



Sanhita, 2023 to the satisfaction of C.J.M., East Champaran, Motihari, in connection with Fenhara P.S. Case No. 126 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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