

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28888 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- KALYANPUR District- East Champaran

1. Badri Singh S/o Late Bansi Singh Resident of Village-Shambhuchak, P.S.- Kalyanpur, District- East Champaran.
2. Ajay Singh @ Ajay Kumar Singh S/o Badri Singh Resident of Village-Shambhuchak, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Kalyanpur P.S. Case No. 408 of 2024, dated 03.12.2024, registered for the offences punishable under Sections 127(1), 115(2), 118(1), 109, 76, 351(2), 303(2), 352 and 3(5) of the B.N.S., 2023.

3. As per prosecution story, there is allegation of outraging the modesty of the informant, assaulting on the person of the husband of the informant and stealing ornaments of the informant by the petitioners' side.

4. Learned counsel for the Petitioners submits that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that informant and petitioners' side are agnates and there is land dispute between both sides. He further submits that injury causing informant's side is simple in nature, as per medical opinion, which shows that offence under Section 109 of BNS is not made out and at most offence under Section 118 of BNS is attracted which is bailable in nature.

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 bail petition that the petitioners have no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners 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 concerned Court below, in connection with



Kalyanpur P.S. Case No. 408 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 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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