

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33039 of 2025**

Arising Out of PS. Case No.-81 Year-2025 Thana- PATEPUR District- Vaishali

1. Chandeshwar Singh S/o Late Sukhdeo Singh @ Late Sukhdeo Singh R/o vill - Maudah Chatur, P.S.- Patepur (Harlochannpur), Distt.- Vaishali
2. Shakaldeo Singh S/o Ramekwal Singh R/o vill - Maudah Chatur, P.S.- Patepur (Harlochannpur), Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kahkashan Alam, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

2 26-05-2025 Heard Learned counsel for the petitioners and

Learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with Patepur P.S. Case No. 81 of 2025 lodged on 18.03.2025, for the offence punishable under Sections 126, 115(2), 109, 303(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation in the First Information Report is that due to land dispute, as many as 9 persons came variously armed at the house of the informant and there is a specific allegation on accused Vijay Kumar and Dilip Kumar of having



assaulted the informant on his head due to which, he sustained head injury. Further, it has also been alleged against Chandeshwar Singh (petitioner no.1) and Rishikesh Kumar of assaulting on the head of the informant. Further, there is an allegation that the accused namely, Shakaldeo Singh (petitioner no.2) also assaulted one Ramsevak Singh by means of dabiya on his leg due to which he sustained injury on his toe.

4. Learned counsel for the petitioners submit that it would be apparent from the first information report itself that the incidence arises out of a land dispute between the parties and there is a case and counter case and the case filed on behalf of the co-accused Vijay Kumar against the informant and other persons has been annexed as Annexure-2 of the bail application. Further, it has been submitted that the primary allegation of assault on the head of the informant is upon Vijay Kumar and Dilip Kumar causing injury on his head and subsequently, the allegations have also been made against petitioner no.1 and one Rishikesh Kumar of assaulting on informant's head. So far as petitioner no.2 is concerned, the allegation is only of making an assault on the leg of Ramsevak Singh. The injuries have been discussed in the bail rejection order which would go to show that the informant has received lacerated wound on his parietal



region and has also received wound behind his right ear. So far as, Ramsevak Singh is concerned, he has received injury on his left toe. Learned counsel further submits that two accused persons namely, Hardeo Singh and Nishant Kumar have already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 21.05.2025 passed in Cr. Misc. No.34496 of 2025 and the petitioners are in custody since 05.04.2025.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioners.

6. Taking into consideration the present facts and circumstances of the case, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending/Successor court, in connection with Patepur P.S. Case No. 81 of 2025, subject to the further conditions that:-

(i) One of the bailors will be a family member/close relative.

(ii) The petitioners would make themselves physically available before the Investigating Officer of the concerned Police station every week till the submission of the charge-



sheet. And in case, the conditions are not fulfilled, then the bail
bond of the petitioners would be liable to be cancelled.

(Soni Shrivastava, J)

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