

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45756 of 2025

Arising Out of PS. Case No.-335 Year-2023 Thana- KALYANPUR District- East Champaran

1. Abhinanadan Kumar @ Abhinandan S/O Shambhu Ray @ Shambhu Prasad Yadav R/o Vill - Badharwa Mahanand, P.S.- Kalyanpur, Distt.- East Champaran
2. Shambhu Ray @ Shambhu Prasad Yadav S/o Late Bachchan Rai R/o vill - Badharwa Mahanand, P.S.- Kalyanpur, Distt.- East Champaran
3. Dharamdeo Rai @ Dharm Deo Prasad Yadav S/o Late Bachchan Rai R/o Vill - Badharwa Mahanand, P.s.- Kalyanpur, Distt.- East Champaran
4. Hemnti Kumari @ Hemwanti Devi @ Hemanti Kumari @ Hewanti Devi W/o Shambhu Ray @ Shambhu Prasad Yadav R/o Vill - Badharwa Mahanand, P.S.- Kalyanpur, Distt.- East Champaran
5. Kundan Ray @ Kundan Kumar S/o Ganesh Rai R/o Vill - Madhu Chhapra, P.S. - Kalyanpur, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sarvesh Kashyap, Advocate Mr. Gautam Raja, Advocate
For the State	:	Mr. Anand Kishore Choudhary, APP
For the Informant	:	Mr. Dhurendra Kumar, Advocate Mr. Sumit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioners, Mr. Anand Kishore Choudhary, learned APP for the State and learned counsel for the Informant.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kalyanpur P.S. Case No. 335 of 2023 instituted for the offence under Sections 279, 337, 341, 323, 324, 307,



379, 504 and 506/34 of the Indian Penal Code (in short 'IPC').

3. The case of the prosecution is that the petitioners along with others arrived at the house of the informant and started searching the nephew of the informant. It is further alleged that Shriket Yadav who was armed with sword assaulted on the neck of the informant which hit near the eye. It is further alleged that Shambhu Ray (petitioner no. 2) assaulted with *lathi* on the head of the informant.

4. Learned counsel for the petitioners has submitted that there is also a counter version of this case and it is also submitted by the learned counsel that Sambhu Ray has also received injury. Learned counsel further submits that the occurrence is of 05.09.2023 and on the same day counter case was also filed. Earlier on 05.09.2023, the informant has filed a case and in that case petitioners were granted bail by the trial court itself and for the occurrence of same day informant has again filed this case which is based on the occurrence of same day. The informant has made an attempt to doublee jeopardise the interest of petitioners.

5. Learned counsel for the informant has vehemently opposed the prayer for bail and submitted that the petitioners are having criminal antecedents.



6. From above discussions it is clear that there is free fight between the parties and both parties have received injuries.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kalyanpur P.S. Case No. 335 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

durgesh/-

U		T	
---	--	---	--

