

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65659 of 2025

Arising Out of PS. Case No.-414 Year-2025 Thana- MAJHAULIA District- West Champaran

1. Radhe shyam @ Pradeep Son of Akhileshwar Thakur R/o Village - Parsa Babu Tola, Ward no. 12, Police station - Majhauriya, District - West Champaran.
2. Rambali Thakur Son of Jugeshwar Thakur @ Jageshwar Thakur R/o Village - Parsa Babu Tola, Ward no. 12, Police station - Majhauriya, District - West Champaran.
3. Sandeep Thakur Son of Hakim Thakur R/o Village - Parsa Babu Tola, Ward no. 12, Police station - Majhauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP
Ms. Khushi Awadh, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 17-12-2025 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

2. Learned counsel for the petitioners seeks
permission to withdraw this application as against the petitioner
nos.2 and 3, as they have been arrested by the police during the
pendency of the bail application.

3. Permission is granted.

4. Accordingly, the instant application as against
the petitioner nos.2 and 3 is dismissed as withdrawn.

5. Now, this bail application is being considered



only with regard to the petitioner no.1.

6. The petitioner apprehends his arrest in connection with Majhauriya P.S. Case No.414 of 2025, dated 01.07.2025, registered for the offence punishable under Sections 126(2), 115(2), 303(2), 109(1), 352, 351(3), 3(5) of the Bharatiya Nyaya Sanhita.

7. As per the FIR, due to a dispute, the petitioner along with other co-accused persons went to the house of the informant, abused and assaulted him. Petitioner no.1 allegedly attacked the informant by means of tangi, causing head injury, while the others assaulted with lathi and danda.

8. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that the informant and the petitioner's side are agnates and that there was a free fight between the parties, in which injuries of a similar nature were allegedly sustained by both sides. Referring to the allegations made in the FIR, learned counsel for the petitioner submits that the allegations regarding any overt act attributed to the petitioner are not corroborated. It is further submitted that there is a counter-version of the entire incident, which was lodged by petitioner no. 2 against the informant and her family members



for causing injuries to them. It is next submitted that the informant, who is an accused in the counter-case lodged by petitioner no. 2, has since been arrested and has already been granted bail vide order dated 17.09.2025 passed in Cr. Misc. No.65061 of 2025, considering the fact that the injuries sustained were simple in nature. Lastly, it is submitted that the petitioner has no criminal antecedents.

9. On the other hand, the learned APP for the State and learned counsel for the informant has opposed the prayer for bail of the petitioner.

10. Considering the fact that there is case and counter case between the parties and both sides have sustained simple injuries, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran/Successor Court in connection with Majhauriya P.S. Case No.414 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family



member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

11. Accordingly, the instant application is partly allowed.

(Ajit Kumar, J)

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