

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68613 of 2025

Arising Out of PS. Case No.-245 Year-2025 Thana- KESARIA District- East Champaran

1. Umashankar Tiwari, S/o Late Gopal Tiwari, Resident of Village- Ramkaran Pakari, P.S.- Chakia, District- East Champaran.
2. Chanchal Singh @ Chanchal Kumar Singh, S/o Late Ramashish Singh, R/o Vill.- Bhusaulwa, P.S.- Kesariya, Dist.- East Champaran.
3. Rintu Singh @ Rintu Kumar, S/o Bablu Singh, R/o Vill.- Bhusaulwa, P.S.- Kesariya, Dist.- East Champaran.
4. Shailesh Singh @ Shailendra Singh, S/o Vidhya Singh, R/o Vill.- Bhusaulwa, P.S.- Kesariya, Dist.- East Champaran.
5. Chhotan Thakur @ Chhotan Kumar, S/o Late Jatanarayan Thakur, R/o Vill.- Hasanpur, P.S.- Kalyanpur, Dist.- East Champaran.
6. Chamcham Devi @ Vibha Kumari, D/o Shailesh Singh @ Shailendra Singh, R/o Vill.- Bhusaulwa, P.S.- Kesariya, Dist.- East Champaran.
7. Himanshu Thakur @ Himanshu Kumar @ Chunnu Thakur, S/o Ashok Thakur, R/o Vill.- Hasanpur, P.S.- Kalyanpur, Dist.- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Yashraj Bardhan, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Kesariya PS. Case No.245 of 2025, dated-10.06.2025, registered for the offences punishable under Sections 189(2), 126(2), 115(2), 329(3), 109, 76, 352, 351(2), 190 of the B.N.S., 2023.

3. As per allegation, the Petitioners and the co-



accused assaulted the husband of the Informant causing injury on the person of the victim.

4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that on account of land dispute, occurrence had taken place, leading to injury on both the sides and the injury received on the side of the Informant is simple in nature. The counter case filed by the Petitioners' side bears Kesariya P.S. Case No. 247 of 2025.

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 petition that the Petitioner no.1, Petitioner no.2, Petitioner No.4, Petitioner No.5, Petitioner No.6 and Petitioner No.7 have been made accused in two, one, three, one, one, one case/es respectively, whereas the Petitioner No.3 has no criminal antecedents.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case-counter case and injury on both the sides, **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 Kesariya PS. Case No.245 of 2025, subject to the conditions as laid down under Section 482 (2) of the 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 other than the disclosed one, 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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