

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79754 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- PHENHARA District- East Champaran

1. Chitranjan Thakur S/o Sugha Thakur R/o Village- Chakarpetha, P.S.- Pakaridayal, Dist- East Champaran
2. Mantosh Thakur S/o Dhanai Thakur R/o Village- Chakarpetha, P.S.- Fenhara, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-11-2025 Learned counsel for the petitioners seeks permission to make necessary correction in the cause title in course of the day. The correction is with regard to name of father of petitioner no. 2 and name of police station given in his address.

02. Learned counsel for the petitioners is directed to make necessary correction in course of the day and the office is directed to take note of this correction.

03. Heard learned counsel for the petitioners and learned APP for the State.

04. In the present case, the petitioners seek bail in connection with Fenhara P.S. Case No. 162 of 2025 registered for the alleged offences under Sections 191(1), 191(3), 190,



126(2), 115(2), 109, 352, 351(2) of Bharatiya Nyaya Sanhita, 2023.

05. As per prosecution case, petitioner and other co-accused persons assaulted the father of the informant with sword, *farsa* and iron rod, causing a number of injuries to him. They also caused injury to one Balindar Kumar and also to the informant.

06. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The informant and the petitioners side are co-villagers and land dispute between the parties is apparent from the FIR and an altercation took place on this account and the informant lodged this false case. Altogether 20 persons are stated to have assaulted their victims but there is no such injuries on their person. The father of the petitioner no. 1 has filed Fenhara P.S. Case No. 163 of 2025 against the informant and his family members and the informant filed this case in order to save the skin of his family. The injury report of Balindar Kumar shows a fracture of thumb bone. Similarly, injury of Rahul Kumar is lacerated wound over left hand and swelling. Injury of Rahul Kumar is stated to be simple in nature whereas injury of Balindar Kumar is stated to be grievous due to fracture of thumb



bone. The allegation of assault on father of the informant is not against the petitioners and the injury reports of the victim of the petitioners do not show any serious injury. The petitioners are in custody since 24.07.2025 and charge-sheet has been submitted. Petitioner no. 1 is having antecedent of one case and the petitioner no. 2 bears clean antecedent.

07. Learned APP for the State opposes the submission made on behalf of the petitioners.

08. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injuries of the victims of the petitioners and further considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihar, East Champaran/court concerned in connection with Fenhara P.S. Case No. 162 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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