

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78129 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Santosh Rai S/o Late Manki Rai R/o Village- Barharwa, P.S- Muffasil, Dist-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-12-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Muffasil Police Station Case No. 242 of 2025, dated
16.04.2025, disclosing offences under Sections
191(2)/190/126(2)/115(2)/118(1)/303(2)/109/352/351(2)
of the Bhartiya Nyaya Sanhita.
3. That the prosecution story, as per First Information
Report, is that on 16.04.2025, when the informant was
cutting wheat in his field, altogether 9 to 10 accused
persons, armed with weapons, came there and abused
him, out of whom the informant identified four accused
persons including the petitioner. It has further been



alleged that the petitioner, armed with country made pistol and other accused persons having deadly weapons, threatened the informant with life and demanded Rs. 20 lakhs from him. During the occurrence, the co-accused persons assaulted the informant at the behest of the petitioner, who took Rs. 7,000 from the pocket of the informant.

4. Learned counsel for the petitioner submits that both the parties are agnates and the petitioner has falsely been implicated in the present case due to land dispute. The allegation against the petitioner is that he took Rs. 7000/- from the pocket of the informant and that he is the order giver and allegation of assault is not against him. He next submits that counter case has been lodged by the side of the petitioner, bearing Muffasil Police Station Case No. 243 of 2025 against the informant and others. The injury sustained by the victim is simple in nature. He further submits that the similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 54863 of 2025.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the



parties are agnates having land dispute, case and counter is there between them and the victim has sustained simple injury and similarly situated co-accused persons have been granted anticipatory by a Co-ordinate Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Muffasil Police Station Case No. 242 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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