

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78411 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- DARPA District- East Champaran

Suraj Kumar, Son of Munna Singh, resident of Village- Bakhtaura, P.S. -
Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-11-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Darpa P.S. Case No.94 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. While the accused persons were forcibly trying to cultivate the land of the informant and when the same was resisted, all the F.I.R. named accused persons brutally assaulted him. It is specifically alleged that this petitioner caught hold and threatened the brother of the informant, whereupon the other co-accused persons assaulted the brother of the informant by means of *Lathi, Danda* and *Farsa*.

4. Learned Advocate for the petitioner taking this Court through the F.I.R. contended that even as per the



allegation levelled in the F.I.R., it is only alleged that this petitioner caught hold the brother of the informant, however, there is no allegation of any overt act against him. In fact, on account of admitted land dispute, both the parties have entered into a scuffle, resulting into injuries to the persons of both the sides, leading to institution of case and counter case, being Darpa P.S. Case No.93 of 2024, which is on earlier point of time. Taking note of the aforesaid facts, other co-accused persons, having faced identical allegation, they have been allowed the privilege of anticipatory bail. Various orders of this Court passed in different cases have been placed on record, as Annexures-5 Series to this application. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and taking note of the nature of accusation, coupled with the fact that the case of the petitioner is based on parity with those co-accused, who have been accorded the privilege of anticipatory bail, besides the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender



before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No.94 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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