

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79434 of 2025

Arising Out of PS. Case No.-254 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Shambhu Thakur S/O Dineshwar Thakur @ Dineshar Thakur Resident of village- Barkagaw (Barka Ganw) Ward no. 13, P.S.- Pakarideyal, District-East Champaran
2. Prabhu Thakur S/O Dineshwar Thakur @ Dineshar Thakur Resident of village- Barkagaw (Barka Ganw) Ward no. 13, P.S.- Pakarideyal, District-East Champaran
3. Kapildeo Thakur S/O Dineshwar Thakur @ Dineshar Thakur Resident of village- Barkagaw (Barka Ganw) Ward no. 13, P.S.- Pakarideyal, District-East Champaran

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Learned counsel for the petitioners is permitted to make necessary correction in paragraph-1 of the bail petition i.e. B.N.S. in place of I.P.C.

2. Heard Mr. Ajay Kumar Singh, learned counsel for the petitioners and Mr. Satyendra Prasad, learned APP for the State.

3. The petitioners are apprehending their arrest in connection with Pakaridayal P.S. Case No. 254 of 2025, F.I.R. dated 03.06.2025 registered for the offences punishable under Sections 329(3), 126(2), 115(2), 109, 118(1), 352, 351(2) and



3(5) of B.N.S.

4. Allegation against the petitioners is that they assaulted the informant on the back side of his head with spade due to which he sustained serious injury with oozing of blood and fell down on the ground and became unconscious and when the son of the informant came to rescue, accused petitioners also assaulted him.

5. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated. It appears from the F.I.R. that due to admitted land dispute, the present occurrence had taken place. Although the informant's side has received injuries but the injury report of the informant's side suggests that the injuries are simple in nature caused by hard and blunt substance. He further submits that co-accused person namely Chandan Thakur @ Chandan @ Chandan Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 08.12.2025 passed in Cr. Misc. No. 79790 of 2025.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.



7. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedent and due to admitted land dispute, the present occurrence had taken place and similarly situated co-accused person has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Pakaridayal P.S. Case No. 254 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

