

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85377 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- SANGRAMPUR District- East
Champaran

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Balistar Rai S/o- Late Jiaut Rai Village- Sangrampur Mathiya, P.S-
Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 24-12-2025 Heard the learned Advocate for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sangrampur P.S. Case No. 44 of 2024, registered for the
offences punishable under Sections 341, 323, 324, 307, 379,
354, 504 and 34 of the Indian Penal Code.

3. In the backdrop of previous land dispute, while the
informant was strolling on her *darwaja*, in the meanwhile, all
the accused persons, including the petitioner, came there and
started abusing. When the same was protested, the petitioner
assaulted the informant's husband over his head by means of
dab, due to which he sustained serious injuries. Besides there is
further allegation that the petitioner also snatched a gold chain
from the neck of the informant worth Rs. 50,000/-.

4. Learned Advocate for the petitioner submitted that



admittedly the genesis of the occurrence is a land dispute and, moreover, there is a counter version of the present case being Sangrampur P.S. Case No. 43 of 2024 instituted against the informant and others, which is admittedly, on earlier point of time. The alleged occurrence took place on 21.02.2024, however, the present FIR came to be instituted on 24.02.2024, after a delay of three days, but without any plausible explanation. There is complete denial of the occurrence. It is lastly contended that though the impugned order has taken note of the injury allegedly sustained to the informant's husband, but the nature of injury has not been disclosed. All the more, the petitioner bears fair antecedent and he undertakes that he will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence, coupled with the factum of case and counter case, besides the fair antecedent of the petitioner as well as there is no discussion with regard to the nature of injury nor it has been disclosed that the same has been kept reserved, let the petitioner above named be released on bail, in the event of his arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 44 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner shall be found indulge in intimidating the informant/witnesses or tampering with the evidence, the informant shall be at liberty to file an application for cancellation of the bail of the petitioner.

(Harish Kumar, J)

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