

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2510 of 2026

Arising Out of PS. Case No.-268 Year-2025 Thana- BAIRIYA District- West Champaran

Kamlesh Kumar Varman @ Kamlesh Kumar @ Kamlesh Varman, S/o
Parikshit Varman R/o Village- Bairiya Colony, Ward No. 4, P.S.- Bairiya,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 268 of 2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 109(1), 351(2), 74 of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day on account of a dispute amongst the students of the school, several anti-social elements, including the petitioner, along with other unknown persons came there and brutally assaulted the informant's son and others by means of *Bamboo*. It is specifically alleged that this petitioner caught hold the son of the informant, whereupon co-accused Pritam Varman has assaulted him by means of a



Bamboo over his head, due to which he sustained head injury. There is further allegation against the other accused persons of causing assault to other students, due to which all of them have sustained serious injuries.

4. Learned Advocate for the petitioner submitted that in fact on account of a free fight amongst the students, some unfortunate injuries occurred to some of the students, however only on account of the fact that the petitioner was also present at the site of incidence and had tried to intervene and pacify the dispute that occurred amongst the children, the same was misconstrued, and the petitioner was considered to have entered the side of the accused. Even if the allegation is taken to be true, for the sake of argument, it is only alleged that the petitioner had caught hold the son of the informant, whereupon it is the co-accused Pritam Varman, who assaulted by means of *Bamboo* over his head. The petitioner has nothing to do with the present occurrence and he bears fair antecedent and moreover there is a counter version of the present case, being Bairiya P.S. Case No. 274 of 2025, instituted against the informant and others.

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



petitioner has also actively participated in the crime, in which several students sustained injury.

6. Having considered the submissions considered by the learned Advocate for the respective parties and taking note of the nature and the role assigned to the petitioner, coupled with the fair antecedent as well as the factum of the case and counter case, 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, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 268 of 2025, 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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