

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5724 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- BARGAINIA District- Sitamarhi

1. Dinesh Choudhary Son of Late Laxmi Choudhary Resident of Village- Baigainia Main Road, Ward No.14, P.S.- Baigainia, District- Sitamarhi
2. Sagar Kumar @ Sagar Choudhry Son of Dinesh Choudhry Resident of Village- Baigainia Main Road, Ward No.14, P.S.- Baigainia, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sekh Lalbabu S/O Sekh Abdul Hafiz R/O Karmahia Karuna P.S. Gaur Distt Rohtat Nepal

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6335 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- BARGAINIA District- Sitamarhi

Ajay Baitha @ Ajay Kumar Son of Nandu Baitha Resident of Village- Masha Alam, Ward No.12, P.S.- Baigainia, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sekh Lalbabu S/O Sekh Abdul Hafiz R/O Karmahia Karuna P.S. Gaur Distt Rohtat Nepal

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 5724 of 2025)
For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Mr.Jagdhar Prasad
(In CRIMINAL MISCELLANEOUS No. 6335 of 2025)
For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 23-02-2026 These cases arise out of the same P.S. Case i.e.,

Baigainia @ Bargainia P.S. Case No. 176 of 2024. Therefore,



they are being heard together and are being decided by this common order.

2. Heard the learned counsel for the petitioners and learned counsel for the State.

3. The petitioners apprehend arrest in connection with Bairgainia @ Bargainia P.S. Case No. 176 of 2024 registered for offences under Sections 126(2), 308(3), 308(4), 303(2), 318(4), 324(4), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

4. As per the prosecution case, the petitioners are accused of demolishing the house of the informant to build three shops and misappropriating cement and iron rods worth Rs. 1,00,000/- from his house.

5. Learned counsel for the petitioners submits that the petitioners are quite innocent and have not committed any offence. He further submits that from the allegations leveled in the FIR, it appears to be a case between the landlord and the tenants, and the petitioners are the tenants.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and in light of the fact that the dispute seems to be between the landlord and the tenants, both these applications for anticipatory



bail are allowed.

7. Accordingly, let the petitioners, above-named, in the event of their arrest or surrender within four weeks from today in the Court below, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi/concerned court below in connection with Bairgainia @ Bargainia P.S. Case No. 176 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Sandeep Kumar, J)

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