

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7466 of 2026

Arising Out of PS. Case No.-135 Year-2025 Thana- Haraiya District- East Champaran

1. Jainarayan Prasad S/O Late Ramdev Prasad Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
2. Keshav Kumar @ Kheshav Prasad Son of Late Raju Prasad @ Rajeev Prasad Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
3. Ashok Prasad Son of Paras Prasad Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
4. Sunil Prasad @ Sunil Kumar Son of Paras Prasad Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
5. Ravindra Prasad Son of Late Shivbachan Prasad @ Shivbachan Raut Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
6. Sharma Prasad Son of Devbachan Prasad Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran
7. Lalan Prasad Son of Rambachan Raut Resident of village- Pantoka ward no 17 P.S.- Haraiya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Singh, Advocate
For the State	:	Mr.Sunil Kumar Pandey, A.P.P
For the Informant	:	Mr. Bhagya Narayan Jha, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 04-02-2026 Heard Mr. Ajay Kumar Singh, the learned counsel for the petitioner, Mr. Sunil Kumar Pandey, the learned A.P.P. for the State and Mr. Bhagya Narayan Jha, the learned counsel appearing for the informant.

2. The petitioners apprehend their arrest in a case registered under Sections 115, 118 (1), 126 (2), 74, 109 and 3(5) of B.N.S 2023.

3. The allegation in the First Information Report is that all



the accused persons, being fifteen in number, including the present petitioners came variously armed and started assaulting the informant's family causing injuries to them.

4. Learned counsel for the petitioners submits that the bare perusal of the First Information Report itself would indicate that the specific allegation of assaulting injured, Pramod Kumar, who is said to have sustained injury on his head is upon co-accused Om Prakash and so far as the assault upon informant's cousin brother, Ravi Prakash, is concerned, there is an allegation on petitioner no. 2. However, the said injury sustained by Ravi Prakash happens to be on the toe which is the non-vital part of the body and it is also a fact that the injuries suffered by the injured persons are simple in nature. Learned counsel has also submitted that as a matter of fact a case had been instituted on the side of the petitioners also wherein there are grievous injuries sustained by the wife of petitioner no. 1, petitioner no. 3 and petitioner no. 5 sustained grievous injury while the petitioner no. 1 also sustained simple injury and the F.I.R. on the petitioners' side (Annexure-2) also discloses that the entire dispute had taken place on account of some dispute with regard to the quality of food being served in *shraddh* ceremony of the mother of the petitioner no. 3 and both the parties are also agnates.

5. The learned A. P.P. for the State and the learned counsel appearing for the informant, however, strongly oppose the grant of anticipatory bail on the ground that the injury has been



suffered by the injured persons.

6.Taking into consideration the facts and circumstances and also considering that there is a case and counter case between agnates and the nature of injuries are also simple and the petitioners are not responsible for the injuries of the injured but for causing one simple injury to one of the injured by petitioner no.2, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Haraiya P.S. Case No. 135 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023, subject to the further following conditions:

(i) The petitioner will cooperate in the investigation and trial and in case of any act of non-cooperation, the prosecution would be at liberty to move an application for cancellation of bail bonds of the petitioners.

(Soni Shrivastava, J)

vashudha/-

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