

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16415 of 2026

Arising Out of PS. Case No.-377 Year-2025 Thana- PAHARPUR District- East Champaran

1. Dilip Kumar S/o Kashilal Singh R/o Village - Siswa Kodar, P.S - Paharpur, District - East Champaran
2. Kashilal Singh S/o Shankar Singh R/o Village - Siswa Kodar, P.S - Paharpur, District - East Champaran
3. Pradip Kumar S/o Kashilal Singh R/o Village - Siswa Kodar, P.S - Paharpur, District - East Champaran
4. Shankar Singh S/o Late Kanchan Singh R/o Village - Siswa Kodar, P.S - Paharpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Paharpur P.S. Case No. 377 of 2025 registered for the alleged offence under Sections 126(2), 115(2), 118(1), 109(1), 74, 303(2) and 352 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioners and other co-accused persons assaulted the informant and his family members causing a number of injuries to them. The occurrence



took place when the petitioners objected to the informant putting a ridge in his land claiming it to be their land.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners and the informant are agnates and due to admitted land dispute, the petitioners have been falsely implicated in this case. The allegations are general and omnibus against all the accused persons except petitioner Nos. 1 and 3. However, the injuries received by the victims are simple in nature. The FIR has been lodged after delay of 08 days without any explanation and it shows deliberation and afterthought on part of the informant. Learned counsel further submits that the petitioners were not even present at the place of occurrence as alleged, still they have been made accused in the present case. The petitioners are having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the simple nature of injuries of the victims and also considering the background of land dispute and possibility of false accusation, let the petitioners above named, in the event of their arrest or



surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/court concerned in connection with Paharpur P.S. Case No. 377 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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