

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11812 of 2026

Arising Out of PS. Case No.-345 Year-2025 Thana- KISHANGANJ District- Kishanganj

Lakhan @ Sohan Chauhan S/o Sirpat Chauhan Resident of village -
Dheksara, Ward No. 15, Teusa, P.S - Kishanganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Kishanganj P.S. Case No. 345 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 118(1), 109(1) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant had alleged that the named accused persons including the petitioner against whom a Title Suit was pending earlier and was subsequently decided and dismissed by order dated 19.06.2025, on account of same it is alleged that the accused persons armed with sword, hockey stick etc. made a blow on the head of the informant and the other accused persons assaulted him with hockey stick.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and no such occurrence, as alleged, has occurred. It has further been submitted that, in fact, the informant who was aggressor and for which Kishanganj P.S. Case No. 344 of 2025 has been lodged by the brother of the petitioner. It has further been submitted that from perusal of the medical examination report, it would appear that the injuries sustained by the informant was found to be simple in nature and therefore, no case under Section 109(1) of the BNS is made out. It has next been submitted that a complete civil dispute has been given rise to present criminal case and the petitioner has one criminal case against his name which is of the year 2016.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to 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, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 345 of 2025,



subject to the conditions as laid down under Section 482 of the
BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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