

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13364 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- KALYANPUR District- East Champaran

1. Jaisilal Rai S/o Sadhu Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran
2. Sadhu Rai S/o Late Rengani Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran
3. Sonalal Rai S/o Late Ledar Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran
4. Mewalal Rai S/o Late Basdeo Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran
5. Rakesh Kumar S/o Anutha Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran
6. Basdeo Rai S/o Late Rengani Rai Resident of Village- Siswa Basant, PS-Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the State : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 24-06-2026 Heard the Mr. Karan Deep Kumar, learned counsel
for the petitioner.

2. The petitioners are apprehending their arrest in connection with Kalyanpur P.S. Case No. 264 of 2025 registered for the offence under Sections 127(2), 115(2), 118(1), 109, 76, 351(2), 3(5) of BNS lodged on 01.07.2025 by the informant, Ranjan Kumar.

3. As per the prosecution story, the informant alleged



that due to a piece of land, the accused after abuse resorted to assault. Allegation against Mewalal Rai and Sonalal Rai is of injuring the informant's mother and when his sister-in-law came to rescue, allegation is that Jaisilal Rai outraged her modesty while Sadhu Rai cause injury by inflicting bamboo blow. When Chandailal Rai came to recuse once again Mewalal Rai gave bamboo blow while Sonalika Kumari took away Rs.3,000/- from her pocket, injured were shifted to Sadar Hospital, Motihari which followed the FIR.

4. Learned counsel for the petitioners submit that there is case and counter case, both sides have suffered injuries, the case of the petitioners being earlier to the present one vide the Kalyanpur P.S. Case No. 262 of 2025. Further, all the injuries have been found to be simple in nature. Last submission is that without accepting the allegation or outcome of the present petition, the petitioners intend to pay Rs.1,500/- each (totaling Rs.9,000/-) to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned APP opposes the prayer submitting that though the injury has been found to be simple in nature



allegation of assault is against everyone.

6. Considering the submission of the parties as also that there is case and counter case, the injuries have been found to be simple in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.1,500/- each (totaling Rs.9,000/-) to the informant as undertaken by the learned counsel for the petitioners through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and after checking credentials to be handed over to the informant.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 264 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;



(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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