

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21519 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- Raghunathpur District- East Champaran

1. Ajay Singh @ Ajay Kumar Singh S/o Bachchalal Singh Resident of Village- Sapahi, P.S- Raghunathpur, District- East Champaran Bihar
2. Bindeshwari Prasad S/o Late Narsingh Sah Resident of Village- Sapahi, P.S- Raghunathpur, District- East Champaran Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-05-2026 Heard the parties through the virtual mode.

2. The petitioners are apprehending arrest in connection with Raghunathpur P.S. Case No. 03 of 2026 instituted under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 3(5) of the BNS lodged on 04.01.2026 by the informant, Suraj Kumar Prasad.

3. As per the prosecution story, the informant alleged that due to land dispute, the accused persons entered and the allegation against these two petitioners is/are of giving sword blow on the informant. As he ducked, it hit his brother, Chanchal Kumar on the head causing injury. Later, Umesh Prasad and Bhagwan Prasad gave 'lathi' blow to the informant.



They again assaulted. When the younger brother, Deepak Kumar came to rescue, Sanjay Rai and Rahul Kumar assaulted him. Further, the allegation is of taking away the money/ornaments. This led to the hospitalization/FIR.

4. Learned counsel for the petitioners submit that there is land dispute between the parties which led to the case and counter case, these two petitioners do not have criminal antecedent. The main allegation of assault on Deepak Kumar is against Sanjay Rai and Rahul Kumar. The last submission is that the injury on Chanchal Kumar has been found to be simple in nature.

5. Learned APP opposes the prayer submitting that the allegation of assault is on both the petitioners.

6. Considering the submissions of the parties as also that they do not have criminal antecedent and the injury inflicted upon Chanchal Kumar has been found to be simple in nature, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the concerned court 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 the like amount each in connection with Raghunathpur P.S. Case No. 03 of 2026 to the satisfaction of learned Judicial Magistrate 1st Class, East Champaran, Motihari subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) 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 their bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their 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 their bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

