

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21860 of 2026

Arising Out of PS. Case No.-61 Year-2026 Thana- CHAINPUR District- Kaimur (Bhabua)

1. AWADHESH THAKUR Son of Radheyshyam Thakur R/o Village - Chhotaka Lohara, P.S.- Chainpur, District - Kaimur.
2. Arjun Thakur Son of Radheyshyam Thakur R/o Village - Chhotaka Lohara, P.S.- Chainpur, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Chainpur P.S. Case No. 61 of 2026 lodged on 01.02.2026, for the offence punishable under Sections 191(2), 190, 126(2), 115(2), 109, 352 & 351(2) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act, pending in the Court of C.J.M., Kaimur at Bhabhua.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioners. It has been alleged in the FIR that all the accused persons have assaulted the informant's son, due to which, injury has been



caused.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the informant's side and the petitioners' side are resident of the same village and land dispute is going on between the parties. Counsel submits that for the same date and place of occurrence, there are case and counter case from both the sides i.e. one case has been lodged from the petitioners' side bearing Chainpur P.S. Case No. 62 of 2026 and the present case has been lodged from the informant's side bearing Chainpur P.S. Case No. 61 of 2026. Counsel also submits that both the sides have received injuries. Counsel further submits that the petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners stands rejected.

7. However, if petitioners surrender before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on their surrender-cum-bail application on the same day, without



being prejudice that the anticipatory bail of the petitioners has been rejected by this Court. The Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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