

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22292 of 2026

Arising Out of PS. Case No.-251 Year-2024 Thana- RAJEPUR District- East Champaran

1. Chandeshwar Singh Son of Late Brahmdev Singh R/o Village - Kadma, P.s.- Rajepur, District - East Champaran.
2. Mahapati Devi W/o Chandeshwar Singh R/o Village - Kadma, P.s.- Rajepur, District - East Champaran.
3. Ajay Singh S/o Chandeshwar Singh R/o Village - Kadma, P.s.- Rajepur, District - East Champaran.
4. Santi Singh W/o Lalo Singh R/o Village - Kadma, P.s.- Rajepur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brahmaputra Singh Ishu, Advocate Mrs. Poonam Kumari, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, A.P.P.
For the Informant	:	Mr. Manjeet Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 16-04-2026

At the outset, learned counsel for the petitioners

submits that petitioner no. 1 has been apprehended during the pendency of the instant bail application and he seeks withdrawal of anticipatory bail application in respect of petitioner no.1.

2. Considering the aforesaid submission, the prayer for anticipatory bail in respect of petitioner no. 1 is dismissed as withdrawn.

3. Now, the anticipatory bail application in respect of petitioner nos. 2, 3 and 4 is considered.

4. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.



5. The petitioners are apprehending their arrest in connection with A.B.P. No. 6117 of 2025 arising out of Rajepur P.S. Case No. 251 of 2024, registered for the offence punishable under Sections 191 (2), 191 (3), 190, 351 (2), 126 (2), 115 (2), 118 (1), 109 and 352 of B.N.S. 2023.

6. As per the FIR, petitioners and others armed with lathi, danda, farsa, bhala, brick and stones came to the informant's land and started to cut the edge of the land and also abused him. When the same was objected by the informant then Chandeshwar Singh (Petitioner No.1) and co-accused Lalo Singh threatened to kill him. Thereafter, Chandeshwar Singh, Lalo Singh and Uday Singh caught him and Ajay Singh (petitioner no. 3) with the intention to kill the informant assaulted him thrice by farsa due to which he sustained injury on his head. Thereafter, Ranjit Singh, Mittu Singh and five women started assaulting him with bricks, stones and bhala etc. When informant's father came for rescue, he was also assaulted by Ranjit Singh, Mittu Singh and five women by means of stick, stone, bhala, due to which he sustained injury. The informant's daughter and other family members were also assaulted by the accused persons.

7. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. It is submitted that for the same incidence there is a case and counter case. Both sides have sustained injuries and even the petitioners have received grievous injury which is apparent from the report appended with the anticipatory bail petition at page-31. It is next submitted that the petitioners and informant are agnates and the injuries which has been classified as grievous have not been sustained on vital parts and the others injuries are simple in nature. It is further submitted that petitioner no. 1 is already taken into judicial custody during the pendency of the instant bail application. Learned counsel for the petitioners submits that petitioners undertake not to indulge in such activity in future and would maintain peace and harmony with the informant's family and their agnates and in case of any further complaint being brought to the notice of police and upon examination if such allegations finds substance, then informant would be at liberty to take appropriate measures for cancellation of the bail of the petitioners. Lastly, it is submitted that the petitioners have no criminal antecedents.

8. Learned counsel for the informant has appeared suo motu and has opposed the prayer for grant of anticipatory bail. However, he is not in a position to dispute the submissions made



on behalf of the counsel of the petitioner in respect of nature of injuries sustained by the informant and the other family members. On the other hand, the learned APP for the State has also opposed the prayer for bail of the petitioners.

9. Considering the fact that the petitioners and informant are agnates and there is a case and counter case, both sides have received injuries and petitioner no. 1 has already been taken into judicial custody, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P.S. Case No. 251 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/ personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) 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.

(Ajit Kumar, J)

vashudha/-

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

