

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25867 of 2026

Arising Out of PS. Case No.-364 Year-2025 Thana- KESARIA District- East Champaran

Ram Sabad Rai S/o Late Heera Rai R/o Vill- Bairiya, P.S.- Kesariya, Distt-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-04-2026 Heard the parties.

2. The petitioner is apprehending arrest in connection with Kesariya P.S. Case No. 364 of 2025 instituted under Sections 189(2), 126(2), 115(2), 109, 117(2), 118(1), 76, 303(2), 190 of the Bhartiya Nayay Sanhita, 2023 lodged on 08.08.2025 by the informant, Anita Devi.

3. As per the prosecution story, the allegation is that due to land dispute, Manish Kumar gave farsa blow to Rajdeo Rai, the informant's father-in-law, this petitioner assaulted both the husband as also brother-in-law causing injury on their head. Allegation against Nitesh Kumar and Avnish Kumar is of assaulting father-in-law as a result whereof, the hand and legs were fractured. Further case of outraging the modesty and snatching chain is also there. This led to the FIR.



4. Learned counsel for the petitioner submits that there is case and counter case. Though, allegation of assault is on this petitioner. With the help of injury report, it has been shown that the injuries have been found be simple in nature.

5. Learned APP as also learned counsel for the informant opposes the prayer submitting that allegation of assault is there and further, the case of Manish Kumar stands rejected in Cr. Misc. No. 6494 of 2026.

6. Having heard the parties and perusing the record, thought the case of Manish Kumar stands rejected, as recorded above, the allegation against him is of assaulting the father-in-law of the informant by farsa.

7. So far as this petitioner is concerned, the injuries inflicted to the husband and brother-in-law have been found to be simple in nature.

8. Considering the submissions aforesaid, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner be released on bail, in the event of his 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) with two sureties of the like amount each in connection with Kesariya P.S. Case No.



364 of 2025 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 petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner 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 bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight 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 petitioner 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 petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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