

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25719 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- KHANPURA District- Samastipur

1. Bipin kumar sah Son of Late Ram Bilash Resident of Village- Samana (Dera), Ward no. 5, Ps- Khanpur, Dist- Samastipur
2. Suman Kumar Suman @ Julesh Kumar Son of Bipin Kumar Sah Resident of Village- Samana (Dera), Ward no. 5, Ps- Khanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-04-2026 Heard the learned counsel for the petitioners and the learned A.P.P. appearing for the State.

2. At the outset, the learned counsel appearing on behalf of the petitioners seeks permission for correction in paragraph no.4 of the present petition as due to inadvertence, instead of 27.12.2025, 27.12.205 has been typed.

3. Permission, so sought for, is accorded and let the same be done during course of the day.

4. The petitioners apprehend their arrest in connection with Khanpur P.S. Case No.04 of 2026, for allegedly having committed offences under Sections 126(2), 115(2), 109, 74, 303(2), 352, 351(2), 351(3) and 3(5) of the B.N.S., 2023.



5. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 27.12.2025, while the informant was on his shop, all of a sudden, his neighbours including the petitioners came there and started abusing him and further started assaulting his wife. Upon protest, the petitioner no.1 assaulted the informant on his head due to which he suffered injuries. When the neighbour of the informant, Dharmendra Ray came to save him, the petitioner no.2 also assaulted him with iron rod due to which he also suffered injuries.

6. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that a counter case has also been lodged by the petitioner no.1 against the informant and others bearing Khanpur P.S. Case No.02/2026, which has been lodged before filing of the present First Information Report. It is further submitted that the parties are neighbours and there is dispute in between the parties from before. The petitioners have got clean antecedent. He further submits that the petitioner no.1 is a teacher in a High School and the petitioner no.2 is also a government employee.

7. The learned A.P.P. for the State opposes the prayer



for bail of the petitioners.

8. Having Considered the rival submissions and after going through the records, it appears that there was a free fight in between the parties for which case and counter case were lodged. Khanpur P.S. Case No.02/2026 was lodged by the side of the petitioners and in retaliation, the present First Information Report has been lodged by the informant. Further, from perusal of the injury report, which has been annexed as Annexure-3 to the present petition, it appears that the injuries sustained by the informant are simple in nature.

9. Taking into consideration the facts aforesaid, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Samastipur in connection with Khanpur P.S. Case No.04 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the



court concerned shall take steps for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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