

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25522 of 2026

Arising Out of PS. Case No.-1146 Year-2025 Thana- SIKARPUR District- West Champaran

Bidya Prasad Son of Nathuni Sah Resident Mohalla- Khairva, Ward No. 03,
P.S.- Shikarpur, District- West Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Lallan Kumar Verma, Advocate
For the Opposite Party/s :	Mr. Narsingh Tanti, APP
For the informant :	Mr. Nitish Kumar, Advocate
	Mr. Vatsal Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 15-07-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Shikarpur P.S. Case No. 1146 of 2025 lodged on 19.12.2025, for the offences punishable under sections 126(2), 115(2), 109(1), 308(3), 308(4), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the FIR has been lodged against six named accused persons including the present petitioner. The accused persons were demanding extortion of Rs.2 lakhs from the informant. It is alleged that on the date of occurrence, while the informant was proceeding towards his field, the petitioner along with other co-accused persons



surrounded him armed with lathi, danda and iron rod. It is further alleged that the petitioner assaulted the informant with an iron rod on his head causing bleeding injuries and thereafter the other accused persons also assaulted him by fists, kicks and lathi. It is further alleged that the petitioner threatened the informant with dire consequences in case the matter was reported to the police.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated due to long-standing land dispute existing between the parties since the year 2003. Learned Counsel further submits that initially, there were three cases but subsequently, by supplementary affidavit, it has been intimated that there are ten cases by way of filing the supplementary affidavit. Learned Counsel further submits that out of ten cases only two cases is pending for trial. Learned Counsel for the petitioner further submits that both are resident of the same village. It is submitted that the F.I.R. has been instituted after two days of the alleged occurrence. Learned counsel further submits that the petitioner has also instituted a counter case against the informant and at the relevant time a free fight had taken place between the parties. It is further submitted that petitioner is ready to fulfill all condition whatsoever shall



be imposed. Counsel submits that by way of second supplementary affidavit he has placed the injury on record and showing this Court that injuries are simple in nature.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner has criminal antecedents. He submits that though in the bail application only three criminal cases have been disclosed, by way of supplementary affidavit the petitioner has admitted his involvement in other criminal cases. He further submits that five criminal cases are still pending against the petitioner. He also submits that the alleged counter case has been instituted after about eight days of the occurrence only after the petitioner came to know about the institution of the present F.I.R., with a view to create a defense in his favour.

6. Learned APP for the State also opposes the prayer for anticipatory bail but fairly submits that initially only three criminal antecedents were disclosed by the petitioner. However, by filing supplementary affidavit, the petitioner has brought on record the status of all the criminal cases. He further submits that five criminal cases are still pending against the petitioner. He also submits that there is delay in institution of the counter case.



7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Shikarpur P.S. Case No. 1146 of 2025, pending before the learned Court of Additional Chief Judicial Magistrate, West Champaran, is hereby rejected.

8. However, if the petitioner surrenders before the Trial Court within four weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

Manshi/Ashwini

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

