

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27780 of 2026**

Arising Out of PS. Case No.-71 Year-2026 Thana- CHIRAIYA District- East Champaran

1. Gautam Rai S/o Late Punit Rai R/o Village - Baidhyanathpur, P.S - Kotwa, District - East Champaran
2. Dular Rai S/o Late Punit Rai R/o Village - Baidhyanathpur, P.S - Kotwa, District - East Champaran
3. Ruplal Rai S/o Krit Rai R/o Village - Baidhyanathpur, P.S - Kotwa, District - East Champaran
4. Chandrika Rai S/o Jhaman Rai R/o Village - Baidhyanathpur, P.S - Kotwa, District - East Champaran
5. Ijindra Rai S/o Late Devi Rai R/o Village - Baidhyanathpur, P.S - Kotwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate  
For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      27-04-2026                      Heard Mr. Manoj Kumar, learned counsel for the  
  
petitioners and Mr. Shantanu Kumar, learned Additional Public  
  
Prosecutor for the State.

2. Petitioners seeks bail who are in custody since  
19.02.2026 in connection with Chiraiya P.S. Case No. 71 of  
2026, F.I.R. dated 04.02.2026 for the offences punishable under  
Sections 115(2), 126(2), 303(2), 308(3), 110, 351(2), 352 and  
3(5) of the BNS, 2023.



3. According to prosecution case, all the accused persons including these petitioners over a land dispute assaulted the informant with intention to kill him.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. From perusal of the F.I.R He further submits that due to admitted land dispute the present occurrence has taken place and there is case and counter case between the parties. One Title Suit No. 166 of 2025 is also pending between the parties for the same set of land. Although the petitioners are named in the FIR but there is no specific allegation of assault or overt act attributed against the petitioners rather there is general and omnibus allegation against 12 accused persons including these petitioners. The petitioners are in custody since 19.02.2026.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner nos. 1, 2, 3 and 5 carries three criminal antecedents and petitioner no. 4 carries two criminal antecedents other than the present one but fairly submits that they are on bail



in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sikharana, Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 71 of 2026, subject to the following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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 below shall take step for cancellation of bail bond 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.

**(Rajesh Kumar Verma, J)**

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