

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33424 of 2026

Arising Out of PS. Case No.-108 Year-2026 Thana- BALIYA District- Begusarai

1. Subhas Chandra Singh, Son of Late Lakshmi Narain Singh Resident of Village - Manserpur, P.S.- Ballia, District - Begusarai.
2. Satyam Kumar @ Kumar Satyam, Son of Sri Subhas Chandra Singh Resident of Village - Manserpur, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 18-05-2026 Heard Mr. S.K. Lal, learned Senior counsel, assisted by Mr. Pritish Kumar Lal, learned counsel for the petitioners as well as learned APP for the State through virtual mode.

2. Petitioners apprehend their arrest in connection with Ballia P.S. Case No.108 of 2026 registered for the offences under Sections 115(2), 126(2), 352, 351(2), 109(1), 308(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that the petitioners, along with one Shivam Kumar, came on the lands of his maternal grandfather and pointed a pistol at him and started abusing him. It is further alleged that the petitioner Satyam Kumar caught hold of the informant and



the accused Shivam Kumar gave a Khanti blow on the head and shoulder of the informant. Subsequently, it is alleged that petitioner Subhas Chandra Singh and Satyam Kumar @ Kumar Satyam also assaulted with lathi and pistol and they also demanded rangdari of Rs.5,00,000/-.

4. Learned Senior counsel for the petitioners submits that the petitioners have been falsely implicated on account of an admitted land dispute between the parties. It has further been submitted that there is a previous case pending between the parties and the case lodged on behalf of the petitioners is at a very advanced stage and Sessions Trial No.310 of 2018 in relation to the murder of Kumar Sundram the elder son of the petitioner no.1 is also pending and in order to force the petitioner to settle the dispute, the present false and concocted case has been lodged. It has next been submitted that even going by the allegations made in the FIR, it would be evident that the specific allegation is against the accused Shivam Kumar of assaulting on the head and shoulder with Khanti, while the injury report, which has been referred to in the impugned order, would also go on to show that the injury was found on the parietal region, which is attributed to the accused Shivam Kumar. It has also been submitted that the occurrence is said to



have taken place on 14.02.2026, while this typed copy of the FIR was lodged after a delay of more than seven days as an afterthought and the petitioners have been implicated in order to settle personal scores. It has lastly been submitted that petitioner no.1 has got three criminal antecedents while petitioner no.2 has got clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Ballia P.S. Case No.108 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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