

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35541 of 2026

Arising Out of PS. Case No.-278 Year-2025 Thana- BAIRIYA District- West Champaran

1. Satish Kumar @ Satish Choudhary S/o Harendra Choudhary @ Harendra Chaudhari R/o Village - Nautan Road Near Vikash Bhawan, Bagahi Ratanpur, Police Station- Bairiya, District - West Champaran
2. Akash Kumar @ Aakas Choudhary S/o Ramchandra Choudhary R/o Village - Nautan Road Near Vikash Bhawan, Bagahi Ratanpur, Police Station- Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the State	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioners and the learned APP for the state.

2. The petitioners apprehend their arrest in connection with Bairiya P. S. Case No. 278 of 2025 registered for the offences punishable under Section 191(2), 190, 126(2), 115(2), 118(1), 109, 74, 303(2), 352, 351(2) of BNS.

3. As per the prosecution story which has been lodged on the basis of the written report submitted by the informant to the effect that a game of *Madari* was going on in the village and all of a sudden, the accused persons came there along with the petitioners and assaulted the younger brother of the informant. The specific allegation against petitioner no.1 is that he assaulted the informant on his head with a *farsa*. The allegation against the petitioner no.2 is of assaulting the younger brother of the informant with *farsa* due to



which he sustained injuries on his head.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. He further submits that both the parties are next door neighbors and there is a dispute in between the parties from before and due to village politics, the name of the petitioners have been taken in the present case. He submits that the injuries sustained by both the injured, including the informant are simple in nature and the present case has been lodged only due to previous enmity. He further submits that the occurrence is of 25.06.2025, however, the First Information Report has been lodged on 10.07.2025 and no explanation for the delay of 25 days has been given in the First Information Report.

5. Per contra, the learned APP for the State opposes the prayer for bail of the petitioners and submits that both the petitioners assaulted the informant and his brother on their head due to which they suffered injuries.

6. Having considered the submissions advanced by the learned counsel for the parties and after going through the records, it appears that the allegation of assault is there against both the petitioners. However, the learned Additional District and Session Judge-V, Bettiah at West Champaran while rejecting the anticipatory bail petition of the petitioners, in paragraph no.6, has discussed about the injuries received by both the injured persons and has recorded that the doctor has opined the injuries to be simple in nature. Further,



the petitioners have got a clean antecedent.

7. Considering the above, let the petitioners, above named, in the even of their arrest or surrender within a period of six weeks, 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 Learned Judicial Magistrate, Bettiah, West Champaran in connection with the Bairiya P.S. Case No. 278 of 2025, subject of the conditions as laid down under Section 482(2) of BNSS., with a further condition that :

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

(Ritesh Kumar, J)

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