

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36075 of 2026

Arising Out of PS. Case No.-291 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

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1. Pintu Rai Son of Jeyee Rai @ Jayi Rai Resident Of Village -Dhangarha, Dumariyaghat PS -Dumariyaghat, Dist -East Champaran
 2. Jeyee Rai @ Jayi Rai son of Ram Dayal Rai Resident Of Village -Dhangarha, Dumariyaghat PS -Dumariyaghat, Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioners and
learned APP for the State.

3. The petitioners who apprehend arrest in connection
with Dumariyaghat P.S. Case No. 291 of 2025, lodged on
10.10.2025, for the offences punishable under sections 126(2),
115(2), 117(2), 109, 352, 351(2) and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

4. As per the prosecution, the F.I.R. has been lodged



against five named accused persons including the present petitioner with allegation that the accused persons were preparing the house on the share of the informant and when informant requested to stop the work, then they all attacked due to which injury has been caused.

5. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that from the content of the FIR it is crystal clear that the informant and accused petitioners are Gotiya and land dispute is going on between them. Counsel further submits that Annexure-2 is the case filed before the SDO, bearing Case No.593 M/2025 under Section 163 of the BNSS between the parties. Counsel further submits that petitioner No.1 has one criminal antecedent and petitioner No.2 has two criminal antecedents, but it is admitted that land dispute is going on between the Gotiyas, which is resulted into scuffling and present case has been filed. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

6. Learned APP for the State opposes the prayer for bail of the petitioners but submits that from the content of Annexures-1 and 2, it transpires that they are Gotiya and land



dispute is going on between them.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Dumariyaghat P.S. Case No. 291 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 and further conditions that:

(i). One of the bailor shall be the relative of the petitioners;

(ii) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(iii) The Trial Court 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 Trial Court 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.

(Dr. Anshuman, J)

Mkr./Bipin/-

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