

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38043 of 2026

Arising Out of PS. Case No.-142 Year-2026 Thana- BAIRIYA District- West Champaran

Ravindra Kumar @ Ravindra Patel Son of Late Jaypal Kurmi R/O Village -
Bhitaha, Mathiya, P.S. - Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner is apprehending arrest in connection with Bairiya P.S. Case No. 142 of 2026 lodged on 20.03.2026, for the offence punishable under Sections 329(3), 126(2), 352, 115(2), 118(1), 109(1), 103(1), 76, 61(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 14 named accused persons including the present petitioner. The allegation against the 14 named accused persons is that they have surrounded the informant and started abusing. Upon request not to do so, then accused Abha Devi came with *bhala* and *barchhi*. The specific allegation is against 3 named accused persons namely, Abhay Patel, Suresh Patel and Abha Devi to



attack on the brother of the informant namely, Vijay Patel, who died by the said injury on the way to the hospital. The allegation against rest other accused persons is that they have assaulted the informant and his family members due to which, injuries have been caused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the death of the brother of the informant was caused by the attack of 3 named accused persons namely, Abhay Patel, Suresh Patel and Abha Devi. Against the present petitioner, there is no allegation of assaulting the deceased, rather, there is allegation to assault the informant due to which injury has been caused. He further submits that the injury was not placed on record either before the Sessions Court or by the informant who present here. He submits that actually no injury has been caused and the injury which was in the case diary has already been discussed in the rejection order and only injury has been found on the deceased namely, Vijay Patel by *bhala* and *barchhi*. Counsel further submits that the petitioner is a co-villager and sympathizer of his family. It is due to this reason, he has been made accused in the present case. Counsel submits that the allegation in the FIR is general and omnibus in nature



against the present petitioner and there is no whisper of assaulting the deceased. He further submits that the criminal antecedent of the petitioner is not clean, as there are 2 cases pending against him, but in both the cases, he is on bail.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is true that the assault has not been made by the petitioner to the deceased, but it is also true that collectively, petitioner along with other accused persons have assaulted the informant. Therefore, case diary may be called for.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that in Cr. Misc. No. 38326 of 2026, anticipatory bail application filed by other co-accused person namely Ajay Patel, the Co-ordinate Bench of this Court has called for the case diary.

7. In response thereof, learned counsel for the petitioner immediately submits that the said Ajay Patel is the brother of the deceased, whereas, the present petitioner is a stranger and he is not the family member. He is only a sympathizer.

8. As such, in the present facts and circumstances of this case considering that there is no specific allegation against



the present petitioner to assault the deceased, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Judicial Magistrate 1st Class, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 142 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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