

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40084 of 2026**

Arising Out of PS. Case No.-143 Year-2026 Thana- PIPRA District- East Champaran

1. Ram Bali Singh Late Ram Lakshman Singh Resident of Village - Sohanpura, Ward No. 07, P.S. - Pipra, District - East Champaran.
2. Sri Mati Devi W/o Ram Bali Singh Resident of Village - Sohanpura, Ward No. 07, P.S. - Pipra, District - East Champaran.
3. Chandan Kumar @ Chandan Kumar Singh S/o Ram Bali Singh Resident of Village - Sohanpura, Ward No. 07, P.S. - Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      22-06-2026                      Heard learned counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

2. The accused/petitioners are named in the FIR and apprehending their arrest in connection with Pipra P.S Case No.143 of 2026 registered under Sections 126(2), 115(2), 118(1), 109(1), 329(3), 76, 303(2), 301(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, the petitioners along with other co-accused persons alleged to assault informant and others during course of occurrence by using *iron rod* causing head and bodily injury, having intention to cause their death, where occurrence alleged to be arising out of land dispute.



4. It is submitted by learned counsel for petitioners that the occurrence was free fight in nature where both the parties received injury and therefore, it can be safely said that petitioners were not under intention to cause death of the informant and other injured persons. It is submitted that admittedly the occurrence took place in the background of the land dispute. It is pointed out that the petitioners had also lodged a case against informant and others which has been registered as Pipra P.S Case No. 144 of 2026 for the same set of occurrence. It is submitted that the nature of injury of injured persons, upon medical examination, found simple in nature which also negate allegation to cause death. Arguing further, it is pointed out that as the alleged assault appears to be made on the vital parts like head of the injured, on that ground alone the learned trial court rejected anticipatory bail of petitioners ignoring other several aspects like manner of assault, nature of weapons, nature of injuries, conduct of the accused person etc. during the occurrence, which all are collectively required to make out a *prima face* case under Section 109 of B.N.S. In support of his



submission, learned counsel relied upon judgment of of Supreme Court as available through **The State of Himachal Pradesh Vs. Shamsheer Singh reported in 2025 SCC OnLine SC 807.** Petitioners are of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact, *prima facie* as occurrence appears free fight in nature, where upon medical examination, nature of injury also found simple, accordingly, petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender in the court below within a period of four weeks, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Motihari in connection with Pipra P.S Case No.143 of 2026, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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