

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44344 of 2026

Arising Out of PS. Case No.-54 Year-2026 Thana- CHHATAUNI District- East Champaran

1. Akash Kumar S/o Mishri Lal Sah @ Mishrilal Sah R/o Vill- Chhatauni Bazar, P.S -Chhatauni, District- East Champaran
2. Raja Kumar @ Raja Babu S/o Mishri Lal Sah @ Misrilal Sah R/o Vill- Chhatauni Bazar, P.S -Chhatauni, District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocete

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 115(2), 126(2), 118(1), 109, 308(2), 351(2), 3(5) of the BNS, 2023.
3. The SHO and the Investigating Officer of the case in compliance of the order dated 20.07.2026 are present in the Court.
4. Learned counsel appearing on behalf of the petitioners submits that petitioners have antecedent of three cases and the informant alleges that on 19.01.2026 at 08:30 PM, his brother Rameshwar along with Akahs and Raja entered his shop and on



point of knife dragged his cashier Dinanath outside the shop and assaulted him causing injury on head and body and also demanded extortion of Rs. 5 lakhs and the occurrence got captured in CCTV.

5. Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, as petitioners and the informant are related and informant is uncle of the petitioner, it is next submitted that from perusal of the FIR, it would manifest that the occurrence is dated 19.01.2026 and the FIR came to be instituted on 26.01.2026, that is, after seven days of the occurrence which casts an aspersion on the case of the prosecution, it is also submitted that though it is alleged in the FIR that Dinanath was dragged outside the shop on point of knife, but then the informant does not allege that Dinanth was assaulted by knife.

6. On query of the Court from the Investigating Officer of the case that as to whether he had examined the CCTV footage or not, on which it is submitted that CCTV footage was seen and from perusal of the same, it would manifest that the accused persons were assaulting Dinanth by fist and knife was not seen in the CCTV footage.



7. Learned counsel appearing on behalf of the petitioners at this stage, submits that since petitioners and the informant are having dispute relating to property, as such, they are being implicated in false cases, it is also submitted that if privilege of anticipatory bail is granted, the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail to the petitioners.

9. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Chhatauni P.S. Case No. 54 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

10. One of the bailors of the petitioners shall be their brother Prakash Kumar.

11. However, it is made clear that, in the event, if the



Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

12. The personal appearance of the SHO and the Investigating Officer of the case is dispensed with.

13. This application stands allowed.

(Satyavrat Verma, J)

Nitesh/-

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