

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40023 of 2026

Arising Out of PS. Case No.-78 Year-2026 Thana- Nawalpur District- West Champaran

1. Manohar Ram Son of Late Hiralal Ram Resident of village- Nimuiya, Ward No.05, Police Station- Nawalpur, District- West Champaran
2. Marachhiya Devi wife of Late Hiralal Ram Resident of village- Nimuiya, Ward No.05, Police Station- Nawalpur, District- West Champaran
3. Kalawati Devi @ Kamlawati Devi Wife of Pahwari Ram Resident of village- Nimuiya, Ward No.05, Police Station- Nawalpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Nawalpur P.S. Case No.78/2026 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1) and 352 of BNS.

3. As per FIR, petitioners along with other 12 co-accused persons assaulted informant and others causing head and bodily injuries, having intention to cause their death, where occurrence alleged to be arises out of dispute regarding hand pump.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that present occurrence appears free fight in nature, where both parties received injuries, therefore, it cannot be said that petitioners were under intention to cause death of the injured informant and other injured persons. It is also submitted that for the same set of occurrence husband of petitioner no. 3 namely Pahwari Ram lodged a case which has been registered as Nawalpur P.S. Case No. 85 of 2026. It is submitted that injury report not appears convincing that informant was assaulted by 12 persons collectively during the occurrence, where upon medical examination injury found simple in nature, negating intention of petitioners to cause death of informant. While concluding argument, it is submitted that petitioners are men of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as occurrence prima-facie appears free fight in nature, where both parties received injuries, coupled with the fact as injury of the informant upon medical examination found simple in nature, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, 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 JM First Class, Bettiah, West Champaran/concerned Court, where the case is pending in connection with Nawalpur P.S. Case No.78/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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