

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41184 of 2026

Arising Out of PS. Case No.-494 Year-2025 Thana- TURKAULIYA District- East
Champaran

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1. Sukesh Kumar S/o Kapildev Ram Resident of Village- Shankar Sariya,
Munshi Inar, P.S.- Turkauliya, District- East Champaran
 2. Ashok Ram S/o Late Ramchandra Ram Resident of Village- Shankar Sariya,
Munshi Inar, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sitesh Kashyap

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Turkauliya P.S. Case No. 494 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of BNS.

3. The allegation against petitioners is to assault informant and others during the occurrence causing head and bodily injuries, which is alleged to be made with an intention to cause death. Occurrence



alleged to be arising out of land dispute.

4. It is submitted by learned counsel appearing on behalf of the petitioners that allegation against petitioner no. 2 is limited to give only order as to instigate the petitioner no. 1 to assault the informant, whereupon petitioner no. 1 alleged to assault informant on his head by using *farsa* causing head injury, which upon medical examination found simple in nature. It is submitted further that the occurrence was free fight in nature, where both parties received injuries, for which petitioner's side also lodged a criminal case which was registered as Turkauliya P.S. Case No. 500 of 2025. It is submitted that as occurrence was free fight in nature, therefore, it can be safely said that petitioners were not under intention to cause death of the informant and other injured persons. Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and



by taking note of fact as the occurrence *prima-facie* appears free fight in nature, where both parties received injuries, coupled with the fact that injuries as alleged to be caused by petitioner no. 1 during the occurrence on instigation of petitioner no. 2 found simple in nature, accordingly both 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 1st Class, Motihari, East Champaran /concerned Court, where the case is pending in connection with Turkauliya P.S. Case No. 494 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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