

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42060 of 2026

Arising Out of PS. Case No.-271 Year-2025 Thana- BIRPUR District- Supaul

1. Sonu Sipoliya @ Sonu Sonu Kumar @ Sonu Kumar S/o Kishun Sipoliya
R/o Village - Bhawanipur, Ward No. 05, P.S.- Birpur, District - Supaul
2. Surendra Baharkher @ Surendra Kumar S/o Kamanand Baharkher R/o
Village - Bhawanipur, Ward No. 05, P.S.- Birpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ashok Kumar, Advocate Mr. Ajay Kumar, Advocate Mr. Kanhaiya Kumar, Advocate Mr. Ajeet Kumar, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Birpur P.S. Case No. 271 of 2025, dated 31.07.2025, lodged under Sections 126(2), 115, 118(1), 303(2), 109, 352, 351(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against 12 named accused persons, including the present petitioners, alleging that they, in connivance with each other, surrounded the informant, started abusing him, and, with a view to kill, attacked his head with a *kudaal*. Subsequently, an



allegation has been made against the petitioner that he assaulted the informant with a sharp-cutting weapon, due to which the informant's left leg and left hand were cut. Subsequently, an allegation of snatching of a gold chain has also been made.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the informant and the petitioners' side are agnates and the dispute arose due to the creation of a boundary in the agricultural field. Counsel further submits that the *medh* (agricultural boundary) was cut by a tractor, and only for this reason did the dispute arise between the parties. Thereafter, a scuffle took place from both sides, and persons from both sides sustained injuries. In this regard, two cases have been lodged, firstly, Birpur P.S. Case No. 271 of 2025 by the informant's side, and secondly, Birpur P.S. Case No. 272 of 2025 by the petitioners' side, for the same date and place of occurrence. Counsel further submits that, with a view to making the case appear heavier, the informant has suppressed the fact of the land dispute. Counsel also submits that petitioner No. 1 has a clean criminal antecedent. However, one criminal case of the year 2015 is pending against petitioner No. 2, in which he is on bail.



5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that, for the same date and place of occurrence, there is a case and counter-case between the parties. Counsel also submits that both the parties are agnates.

6. Considering the facts and circumstances of the present case, let the above-named petitioners be released on anticipatory 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) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Chief Judicial Magistrate, Birpur, in connection with Birpur P.S. Case No. 271 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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