

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46924 of 2026

Arising Out of PS. Case No.-120 Year-2026 Thana- BAIRIYA District- West Champaran

1. Rajan Kumar @ Rajan Ram S/O Raju Ram @ Nagender Ram R/O Village- Badhiya Tola Ward No. 04, Bhawanipur, P.S.- Yogapatti, Dist.- West Champaran.
2. Kundan Kumar @ Kundan Ram S/O Raju Ram @ Nagender Ram R/O Village- Badhiya Tola Ward No. 04, Bhawanipur, P.S.- Yogapatti, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sarvesh Kashyap, Advocate
For the Opposite Party/s :	Mr.Anant Kumar 1, APP
For the informant :	Mr. Sachida Nand Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Sarvesh Kashyap learned counsel appearing on behalf of the petitioners and Mr. Anant Kumar 1, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bairiya P.S. Case No. 120 of 2026 registered for the offence(s) punishable under Sections 126(2), 115(2), 352, 329(3), 118(1), 109(1), 76 and 3(5), of the BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioner assaulted the informant and his family members, causing injuries.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties arising out of same incidence and due to previous enmity, an altercation took place and both the sides entered into fierce fight, in which, both the sides sustained injuries and in the self-defence, petitioners may have caused some injury on the persons of the informant and his family members. Petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that there is case and counter case between the parties arising out of same incidence and due to previous enmity, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury on the persons of the informant and his family members without any intention, I am of the opinion that petitioners, who have clean antecedent, have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Bettiah, West Champaran / Concerned Court in connection with Bairiya P.S. Case No. 120 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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