

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51722 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- NAUTAN District- West Champaran

1. Sunil Bharti @ Sunil Kumar Bharti Son of Late Awadhesh Bharti Resident of Village- South Telhua, Ward No.10, P.S.-Nautan, Dist- West Champaran
2. Surendra Bharti Son of Late Ramdeyal Bharti Resident of Village- South Telhua, Ward No.10, P.S.-Nautan, Dist- West Champaran
3. Manoj Bharti Son of Late Dev Narayan Bharti Resident of Village- South Telhua, Ward No.10, P.S.-Nautan, Dist- West Champaran
4. Jai Prakash Bharti son of Late Rambalak Bharti @ Late Ram Ekbal Bharti Resident of Village- South Telhua, Ward No.10, P.S.-Nautan, Dist- West Champaran
5. Nandan Kumar @ Abhinandan Kumar Son of Pramod bharti Resident of Village- South Telhua, Ward No.10, P.S.-Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sitesh Kashyap, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Learned counsel for the petitioners seeks permission of this Court to withdraw this anticipatory bail application as against the petitioner no.1, stating that during pendency of this application, he has already been arrested.

2. Permission is accorded.

3. Accordingly, the instant anticipatory bail application stands dismissed as withdrawn as against the petitioner no.1, named above, and now the anticipatory bail application of petitioner nos. 2, 3, 4 & 5 is being considered on merit.



4. Heard learned counsel for the petitioners and learned APP for the State.

5. The petitioners are apprehending their arrest in connection with Nautan P.S. Case No. 109 of 2026 dated 27.02.2026 registered for the offence punishable under Sections 115(2), 126(2), 118(1), 109, 303(2), 151(2), 352, 3(5) of the B.N.S., 2023.

6. As per prosecution case, the accusation against the petitioners is of assaulting the Informant and his nephew by means of *farsa* and knife.

7. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is further submitted that there is no specific allegation of any overt act against the petitioner nos. 3, 4 & 5 as would be evident from the allegation made in the F.I.R. As with regard to petitioner no.2, it has been submitted that the injuries which have been attributed against him of causing injuries to the Informant, has been found to simple in nature and not on vital part of the body while the specific allegation of overt act is against petitioner no.1, who is said to have injured the Informant over his head, has already been arrested by the police.

8. On the other hand, the learned APP for the State has



opposed the prayer for bail of the petitioners.

9. Having heard learned counsel for the parties and considering the fact that there is nothing specific against the petitioner nos. 3, 4 & 5 and with regard to allegation against the petitioner no.2 of causing injury upon the back of the Informant has been found to be simple in nature and, as also, the petitioners having no criminal antecedent, let the above named petitioner nos. 2, 3, 4 & 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on 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 Sub-Divisional Judicial Magistrate, Bettiah, West Champaran/Successor Court in connection with Nautan P.S. Case No. 109 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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