

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51432 of 2026

Arising Out of PS. Case No.-147 Year-2026 Thana- KADWA District- Katihar

1. Ajay Kumar Singh S/O Mahesh Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar.
2. Tapan Kumar Singh @ Tapan Kumar Son of Late Birendra Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar.
3. Mithilesh Kumar Singh Son of Late Arjun Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar.
4. Pritam Kumar Singh @ Priyatam Kumar Singh Son of Pawan Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar.
5. Ashok Kumar Singh @ Ashok Singh Son of Rajendra Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar.
6. Chandan Kumar @ Chandan Kumar Singh Son of Ashok Kumar Singh @ Ashok Singh Residents of village- Bhogaon, P.S.- Kadwa, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Kadwa P.S. Case No. 147 of 2026, registered for the offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 121(1), 121(2), 132, 238, 326(f), 326(g), 303(2), 324(4), 324(5), 333 of the BNS.

3. As per the prosecution case, police received



information about one Sunil Kumar Sah causing serious injuries to a lady and a girl child by opening fire upon them. When police reached the spot, they found a large crowd has assembled and surrounded the house of Sunil Kumar Sah and the mob set on fire one car, one auto and a number of motorcycles. When the police party tried to take away Sunil Kumar Sah and his family members from the clutches of the mob, the police party was also assaulted by the mob. The name of the petitioners transpired along with a number of coaccused persons for being involved in this attack on the police party which caused injuries to a number of police personnels.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Kadwa P.S. Case No. 146 of 2026 has been instituted on the report of one Rohit Singh whose mother and daughter were shot at by Sunil Kumar Sah who opened indiscriminate firing in a dispute over trade of liquor. The said person is in collusion with the police party and has been openly indulging in trade of liquor. Instead of arresting the accused persons who opened fire, the police tried to protect them and this enraged the people and a large mob assembled and opposed the act of the police party. The petitioners are none



other than the agnates of Rohit Singh whose mother and daughter became seriously injured by the gun shot fired by Sunil Kumar Sah. Learned counsel further submits that there is no specific allegation against the petitioners and this case has been lodged only to pressurize Rohit Singh to withdraw this case against Sunil Kumar Sah and others. The petitioner nos. 1 and 2 are having antecedent of one case each and petitioner no. 5 is having antecedent of four cases. Other petitioners are having clean antecedent. The petitioners are in custody since 16.04.2026 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the general and non-specific nature of allegation against the petitioners and also considering submission of charge sheet against them and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned CJM, Katihar/concerned court, in connection with Kadwa P.S. Case No. 147 of 2026, subject to the condition laid down under



Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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