

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51754 of 2026

Arising Out of PS. Case No.-212 Year-2026 Thana- TURKAULIYA District- East Champaran

-
1. Rajesh Dewan S/O Haroon Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 2. Mazhar Dewan S/O Late Jainul Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 3. Khursheed Dewan @ Khurshid Alam S/O Rajesh Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 4. Jaibun Nesha W/O Abdul Kadir @ Bagad Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 5. Sakina Khatoon @ Safina Khatoon W/O Rajesh Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 6. Sabir Dewan S/O Manir Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 7. Sahida Khatoon @ Marachhiya W/O Sabir Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.
 8. Sajid Dewan @ Sajid Alam S/O Sabir Dewan R/O Village- Nautan Tola Barwa, P.S.- Sangrampur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Turkauliya P.S. Case No.212 of 2026, F.I.R dated 21.04.2026 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 109, 351(2) and



352 of the Indian Penal Code / Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 19.04.2026 at about 2:00 PM, the accused persons, forming an unlawful assembly and armed with farsa, iron rods, lathis, and spears, forcibly trespassed onto the informant's land and attempted to take possession by demolishing his hut. When the informant resisted, the accused allegedly abused and threatened him and assaulted the informant and other victims with various weapons. It is alleged that Md. Alam sustained a grievous injury resulting in amputation of his right ear, while other victims, including the informant's mother, also suffered injuries. Due to the severity of his injuries, Md. Alam was referred to a higher medical centre.

4. Learned counsel for the petitioners submits that there is case and counter case and both the sides have sustained injuries due to a dispute regarding ancestral land. It has further been submitted that the petitioners and informant are close agnates and after intervention of well wishers of both the parties, a compromise petition has been filed and placed before the concerned court on 04.05.2026 and since, the issues have already been settled and they do not want to pursue the matter any further. Lastly, it has been submitted that the petitioners are clean antecedent.



5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is case and counter case and both the sides have sustained injuries due to a dispute regarding ancestral land and a compromise petition has already been filed and placed before the concerned court on 04.05.2026 and since, the issues have already been settled and they do not want to pursue the matter any further. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners, subject to the verification of the compromise petition, which has been placed for consideration on the strength of the petitioner's statement after securing the attendance of the parties at the time of furnishing of bail bonds.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari, in connection with Turkauliya P.S. Case No.212 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure / Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita and with other 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 his/her/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)

sharun/-

U		T	
---	--	---	--

