IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51660 of 2026

CNR No. BRHC010747062026

Arising Out of PS. Case No.-95 Year-2026 Thana- KALYANPUR District- East Champaran

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1. Satrudhan Shah Son of Nathu Sah Resident of Village- Gariba HattaTola, Ward No. 8, P.S.- Kalyanpur, Distt.- East Champaran
2. Mithu Kumar Son of Nathu Shah Resident of Village- Gariba HattaTola, Ward No. 8, P.S.- Kalyanpur, Distt.- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

5 05-11-2026 Heard the learned counsel appearing on behalf of the petitioners and the learned A.P.P. for the State.

2. Petitioners, who are in custody, seek bail in connection with Kalyanpur P.S. Case No. 95 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109(1), 64, 62 and 3(5) of the B.N.S.

3. The allegation against the petitioners is that they had assaulted the informant and even tried to commit rape upon her and the petitioner no. 2 is stated to have assaulted the informant and her mother with an iron rod.

4. The learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case merely because there is a dispute between the family of the prosecution

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side, who happen to be cousin of the informant. It has further been pointed out that the police has submitted charge-sheet under Sections 126(2), 115(2), 118(1), 117(2), 64, 62 and 3(5) of the B.N.S., and Section 109(1) of the B.N.S., is not among the said sections. It has thus been submitted that the petitioners may be released on bail. It has lastly been submitted that the petitioners have no criminal antecedents and they are in custody since 15.03.2026.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kalyanpur P.S. Case No. 95 of 2026, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners

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will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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