IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63607 of 2026

CNR No. BRHC010886012026

Arising Out of PS. Case No.-21 Year-2026 Thana- KAMTAUL District- Darbhanga

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1. Suraj Kumar Chaudhary S/O Sri Arun Chaudhary R/O Village and Post- Karjapatti, P.S.- Kamtaul, Distt.- Darbhanga, PIN- 847306.
2. Akshay Kumar Chaudhary @ Chintu @ Akshay chaudhary S/O Sri Arun Chaudhary R/O Village and Post- Karjapatti, P.S.- Kamtaul, Distt.- Darbhanga, PIN- 847306.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sameer Ranjan, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 04-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State and the informant.

2. The petitioners are apprehending their arrest in connection with Kamtaul P.S. Case No. 21 of 2026, F.I.R. dated 29.01.2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 352, 351(2), 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the five named accused persons, armed with sharp-edged weapons, forcibly entered the informant's house and assaulted the informant and

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his family members with an intention to kill, causing injuries to his parents. Upon gathering of villagers, the accused persons fled away. It is further alleged that when the informant and his family members were proceeding for treatment, the accused persons again arrived and assaulted them, causing injuries to several family members, including the informant, who sustained injuries on his head, nose and eyes. The informant, along with Aniket Chaudhary and Sushil Chaudhary, was referred to DMCH for treatment. The accused persons are also alleged to have looted Rs.50,000/- in cash and 20–30 grams of gold ornaments from the informant's house.

4. Learned counsel for the petitioners submits that there is an admitted land dispute between the parties, in connection with which a case and a counter-case have been instituted. The case lodged by the petitioners in which, the informant and his family members have already been granted the privilege of anticipatory bail by the District Court itself. Learned counsel for the petitioners, by referring to the injury reports appended to the anticipatory bail petition as Annexure-P/4 series, submits that the petitioners have also sustained injuries. Though the injuries were found to be simple in nature, the case diary and injury reports were called for. From perusal

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of the injury reports, it appears that altogether three persons have sustained injuries, out of whom two persons have sustained simple injuries, whereas the injuries sustained by one person have been found to be grievous in nature. On examination, the said person was found to have sustained lacerated wounds over the nose, right eyebrow and scalp. Both the sides have got treatment at DMCH, Laheriasarai, and all the injury reports have been prepared by the treating doctor, who is said to have examined the injured persons. Lastly, it has been submitted that the petitioners are ready to cooperate in the investigation.

5. On the other hand, learned counsel for the informant submits that the petitioners had an intention to cause injuries and were appropriately armed, due to which the informant and others sustained injuries. It is further been submitted that during the course of investigation, it has surfaced that the petitioners were armed with sharp-edged weapons and had attacked the informant and others with the intention of causing injuries.

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

7. Considering the aforesaid facts and circumstances and taking into account the fact that there is a case and counter-case arising out of an admitted land dispute, both sides have

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sustained injuries, and in the case lodged by the petitioner, the informant has been extended the privilege of anticipatory bail, as well as the fact that the grievous injuries sustained by the informant do not support the allegation of having been caused by sharp-edged weapons, and further that the petitioners are ready to cooperate in the investigation, this Court is inclined to grant anticipatory bail to the petitioners, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

8. 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 Chief Judicial Magistrate, Darbhanga in connection with aforementioned P.S. Case, 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

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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)

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