

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70291 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- NIRMALI District- Supaul

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1. Kundan Kumar S/O Iski Lal Chaupal Resident of village- Dighiya, Nirmali, Ward No. 05, P.S.- Nirmali, District- Supaul
 2. Ram Rup Chaupal S/O Bindeshwari Chaupal Resident of village- Dighiya, Nirmali, Ward No. 05, P.S.- Nirmali, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 24-02-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the prayer for bail on behalf of petitioner no.2 Ram Rup Chaupal submitting that the petitioner no.2 has been arrested during the pendency of the bail application.

3. In view of the above, the prayer for bail on behalf of petitioner no.2 Ram Rup Chaupal stands dismissed as withdrawn.

4. The petitioner no.1 seeks pre-arrest bail in connection with Nirmali P.S. Case No. 66 of 2025 registered for



the offence punishable under Sections 126(2), 115(2), 109, 74, 303(2), 352, 351(2) and 3(5) of the BNS.

5. As per the allegation made in the F.I.R., all the accused persons including the petitioners assaulted the informant and his family members causing injury to them.

6. Learned counsel appearing on behalf of the petitioner no.1 submitted that the petitioner no.1 is innocent and he has committed no offence as alleged. There is case and counter case between the parties. Informant is the neighbour and due to previous enmity, the petitioners have been named in the present F.I.R on false accusation. Petitioner no.1 has clean antecedent.

7. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner no.1.

8. Having heard the rival submissions made on behalf of the parties and the allegation made in the F.I.R., I find that due to previous enmity, there is case and counter case between the parties and only minuscule evidence has been collected against the petitioner no.1 in course of investigation, the petitioner no.1 Kundan Kumar is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on



furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Birpur, Supaul in connection with Nirmali P.S. Case No. 66 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner no.1 is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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