

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71292 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- KALYANPUR District- East Champaran

1. Bipindar Sah S/O Pramod Sah R/O Vill.- Balmi Nankar, Medan Sirsiya, P.S.- Kalyanpur, Dist.- East Champaran.
2. Gayetri Devi W/O Pramod Sah R/O Vill.- Balmi Nankar, Medan Sirsiya, P.S.- Kalyanpur, Dist.- East Champaran.
3. Pramod Sah S/O Hari Sah R/O Vill.- Balmi Nankar, Medan Sirsiya, P.S.- Kalyanpur, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 11-02-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Kalyanpur P.S. Case No. 229 of 2025 registered for the offences punishable under Sections 127(2), 115(2), 118(2), 109, 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the informant was making construction of the stairs in his house, the same was objected by the petitioners, when the same was confronted the petitioner no.3 assaulted the informant's grand-father by means of *Dabia* on his nose, due to which he sustained injuries. The petitioner



no.1 also assaulted him by means of *lathi* over his head. There is further allegation against the petitioner no.2 of causing assault by means of hands and legs.

4. Learned Advocate for the petitioners taking this Court through the F.I.R. contended that in fact the parties are *Pattidars* and next door neighbours and only on account of a land dispute they entered into a free fight, resulting into injuries to the persons of both the sides. There is a counter version of the present case, being Kalyanpur P.S. Case No. 252 of 2025 instituted against the informant and others. In the said incidence, the persons of the petitioners' side also sustained injuries. Moreover, the parties have settled the dispute and now they do not want to pursue the matter; for the said purpose they have also filed a compromise petition before the jurisdictional court. The petitioners are the persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the grand-father of the informant has sustained grievous injuries, as during course of his medical examination, displaced fracture in bilateral nasal bones have been found.



6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the genesis of the occurrence, coupled with the factum of case and counter case, besides the fact that the parties did not want to litigate the matter in the court, for which they have filed compromise petition, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 229 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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