IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77672 of 2026

CNR No. BRHC011098142026

Arising Out of PS. Case No.-130 Year-2026 Thana- KALYANPUR District- East Champaran

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1. Nand Kishore Das S/O Rameshwar Das R/O village- Balmi Sirsiya, P.S.-Kalyanpur, District - East Champaran at Motihari
2. Surendra Das @ Surindra Das S/O Rameshwar Das R/O village- Balmi Sirsiya, P.S.-Kalyanpur, District - East Champaran at Motihari
3. Tetar Devi W/O Rameshwar Das R/O village- Balmi Sirsiya, P.S.-Kalyanpur, District - East Champaran at Motihari
4. Kavita Devi S/O Nand Kishore Das R/O village- Balmi Sirsiya, P.S.-Kalyanpur, District - East Champaran at Motihari
5. Sushila Devi S/O Late Lalan Das R/O village- Balmi Sirsiya, P.S.-Kalyanpur, District - East Champaran at Motihari

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Kumar Gaurav, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kalyanpur P.S. Case no. 130 of 2026 instituted for the offence under Sections 126 (2), 115 (2), 118 (1), 76, 303 (2), 352, 351 (2) and 3(5) of the BNS.

3. The prosecution case, in brief, is that the petitioners assaulted the informant and his family members severely and

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also allegedly took cash from them.

4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that, from a perusal of the F.I.R., it would transpire that the date of occurrence is 08.03.2026, whereas the F.I.R. was lodged on 18.03.2026. It is further submitted that, prior to the institution of the present case, one Surendra Das, petitioner no. 2, had already instituted a case against the informant and his family members. The present case is a counterblast to the earlier case instituted by petitioner no. 2. It is also submitted that the allegations are general and omnibus in nature and that the delay in lodging the F.I.R. has not been explained.

5. Learned APP vehemently opposes the prayer for bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kalyanpur P.S. Case no. 130 of 2026 , they will be enlarged on bail on furnishing bail bond of

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Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12, East Champaran at Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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