IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80559 of 2026

CNR No. BRHC011113132026

Arising Out of PS. Case No.-171 Year-2026 Thana- PHULWARIA District- Begusarai

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1. Sudeep Kumar @ Sudip Kumar S/o Arun Singh R/o Village - Phulwariya - 03, Ward no. 01, P.S. - Phulwariya, Dist. - Begusarai.
2. Murari Singh @ Murari Kumar Singh S/o Baleshwar Singh R/o Village - Phulwariya - 03, Ward no. 01, P.S. - Phulwariya, Dist. - Begusarai.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumar Rupesh, Advocate
Ms. Muskan Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Phulwariya P.S. Case No. 171 of 2026, F.I.R dated 26.07.2026 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 303(2), 324(5), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, the accused persons, armed with *lathi-danda* and pistols, allegedly assaulted the informant and his family members over a previous dispute, causing injuries to some of them. It is further alleged that the

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accused persons looted Rs.2,00,000/- from the informant's house and threatened them with dire consequences. On the following morning, one of the accused persons allegedly drove a tractor into the informant's newly constructed house, damaging its wall.

4. Learned counsel for the petitioners by referring to the allegations made in the First Information Report, submits that the incident is alleged to have taken place on account of an existing land dispute and that there is a case and counter-case. It is further submitted that the informant of the present case had opened fire upon the petitioner and his family members, in respect of which they have already lodged an FIR, being Phulwaria P.S. Case No. 111 of 2025, for the offences alleged under Sections 329(4), 329(3), 115(2), 74, 117(2), 308(3), 303(2), 352, 351(2) and 351(3) of the BNS. It has next been submitted that the injuries sustained by the informant and the other family members have been found to be simple in nature, as is evident from the observations made in the impugned order. It has further been submitted that petitioner No. 1 has two criminal antecedents, out of which one case was lodged by the brother of the informant, and in both the cases, petitioner No. 1 is on bail, whereas petitioner No. 2 has clean antecedent. Lastly, it has been submitted that the petitioners undertake not to

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indulge in any similar offence in the near future and that, upon verification, if the allegations are found to be true, liberty may be granted to the police officials to take recourse to seeking cancellation of the bail bonds.

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

6. Considering the aforesaid facts and circumstances, and taking note of the fact that there is a case and counter-case, both sides are said to have sustained injuries, the injuries sustained by the informant and other family members are found to be simple in nature, and the petitioners undertake not to indulge in any similar offences in future, accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. 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, Begusarai in connection with aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of

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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 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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