

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84194 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- LAKHAURA District- East Champaran

1. Achhelal Baitha Son of Late Satya Narayan Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
2. Brahmdeo Baitha Son of Late Satya Narayan Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
3. Panna Devi Wife of Achhelal Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
4. Prabhawati Devi Wife of Brahmdeo Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
5. Ramawati Devi Wife of Ramesh Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
6. Geeta Kumari @ Geeta Bedi D/o Achhelal Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.
7. Raj Kumar Baitha @ Raj Kumar Son of Brahmdeo Baitha R/o Village - Bada Pakahi, P.S. - Lakhaura, Distt. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Ms.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-01-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Lakhaura P.S. Case No. 166 of 2025, registered for the offences punishable under Sections 126(2), 115(2),109(1), 352, 351(2), 3(5) of the BNS.

3. On the fateful day, while the informant was going to his land for putting seeds in the field, in the meanwhile, the



petitioners along with others, armed with various weapons, surrounded him and started assaulting. When the mother and nephew of the informant came to his rescue, they were brutally assaulted by the petitioners along with others due to which they sustained serious injuries.

4.Learned Advocate for the petitioners submitted that besides the land dispute between the parties, there is a counter version of the present case being Lakhaura P.S. Case No. 167 of 2025. Moreover, the alleged occurrence took place on 31.05.2025 but the present FIR came to be instituted on 04.06.2025 and, as such, the exaggeration of the matter cannot be ruled out. So far the injuries, which are allegedly sustained to the informant and others, the same have been found to be simple in nature. With respect to the said submission, specific averment has been made in paragraph-8 of the bail application. It is lastly submitted that the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime and brutally assaulted the informant and others.



6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the genesis of the occurrence, coupled with the factum of case and counter case, besides the simple nature of injury as has been disclosed in para-8 and the fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Lakhaura P.S. Case No. 166 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

