

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87185 of 2025

Arising Out of PS. Case No.-399 Year-2025 Thana- CHAPRA TOWN District- Saran

1. Sawan Kumar (Male), Aged about 22 years, Son of Pujan Ray
2. Sajjan Kumar (Male), Aged about 26 years, Son of Pujan Ray
Both are Resident of Village - Maunaa Ahirtoli, P.S. - Chapra Town, Dist. - Saran.
3. Golu Kumar (Male) Aged about 26 years, Son of Nathu Ray, R/o Village - Chhota Telpa, P.S. - Town, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Raj, Advocate
		Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Raushan Raj, learned counsel appearing on behalf of the petitioners and Mrs. Rina Sinha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Chapra Town P.S. Case No. 399 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3/5 of the BNS.

3. As per the allegation made in the FIR, petitioners along with other accused persons, had assaulted the informant and his uncle by means of *Khanti* and iron rod, with an intention to kill.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to enmity. General and omnibus allegation has been levelled against the petitioners. An scuffle took place between the parties due to land dispute and in course of the same, the petitioners, in their self defence, may have caused some injury to the informant side without intention. Other co-accused namely, Shambhu Mahto has been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 10.12.2025 passed in Criminal Miscellaneous No. 81484 of 2025. Injuries sustained by the informant have been opined by the doctor to be simple in nature. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that an scuffle took place between the parties due to land dispute and in course of the same, the petitioners, in their self defence, may have caused some injury to the informant side without intention. Injuries sustained by the informant have been opined by the doctor to be simple in nature. Petitioners have clean antecedent. Other co-



accused namely, Shambhu Mahto has been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 10.12.2025 passed in Criminal Miscellaneous No. 81484 of 2025. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Chapra Town P.S. Case No. 399 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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