

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.693 of 2026

Arising Out of PS. Case No.-283 Year-2025 Thana- PATAHI District- East Champaran

1. Birchandra Dubey S/o Kedar Dubey R/o vill - Bokane, P.S.- Patahi, Distt.- East Champaran
2. Deochandra Dubey S/o Kedar Dubey R/o vill - Bokane, P.S.- Patahi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 21-04-2026 Heard Mr. Prateek Tandon, learned counsel appearing on behalf of the petitioners and Mr. Dr. Ajeet Kumar, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Patahi P.S. Case No. 283/2025 for the offence under Sections 126(2), 115(2), 118(1), 109, 3(5) of B.N.S.

3. As per the allegation made in the FIR, the accused persons, including the petitioners, assaulted the informant, his wife and his son with sharp weapon, causing injuries to them.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioner nos. 1 and 2 are own brothers of the informant and a dispute regarding partition of



ancestral property is pending between the parties. No injury has been brought on record and the allegations against the petitioners are general and omnibus in nature, with no support from any independent witnesses. Learned counsel further submitted that there is case and counter case between the parties and the father of the informant, who is also a co-accused in the present case, has instituted Patahi P.S. Case No. 284 of 2025 against the informant and his family members (Annexure P/2). The petitioners have clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

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

6. Having heard the rival submissions made on behalf of the parties, as well as, upon perusal of the materials available on record, it appears that petitioner nos. 1 and 2 are own brothers of the informant and a dispute regarding partition of ancestral property is pending between the parties. The allegations against the petitioners are general and omnibus in nature and no injury has been brought on record, nor is there support from any independent witnesses. There is case and counter case between the parties. In above view of the matter, I am of the opinion that the petitioners, having clean antecedent,



have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory 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/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Patahi P.S. Case No. 283/2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

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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