

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90615 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- PHENHARA District- East Champaran

1. Suga Thakur Son of Late Baldeo Thakur Resident of Village -Chakarpetha P.S. -Phenhara Dist -East Champaran
2. Ramchandar Thakur son of Late Baldeo Thakur Resident of Village -Chakarpetha P.S. -Phenhara Dist -East Champaran
3. Shambhu Thakur son of Late Baldeo Thakur Resident of Village -Chakarpetha P.S. -Phenhara Dist -East Champaran
4. Lakhindar Thakur son of Ramprit Thakur Resident of Village -Chakarpetha P.S. -Phenhara Dist -East Champaran
5. sikindar Thakur @ Sikki Thakur Son of Ramprit Thakur Resident of Village -Chakarpetha P.S. -Phenhara Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar II, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-01-2026 Heard Mr. Dhannjay Kumar-II, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Phenhara P.S. Case No. 162 of 2025 instituted under Sections 191(1), 191(3), 190, 126(2), 115(2), 109, 352, 351(2) of Bhartiya Nayay Sanhita, 2023 lodged on 22.07.2025 by the informant, Rahul Kumar.

3. As per the prosecution story, the informant alleged



that on the issue of the movement of water on the land, all the accused persons armed variously, resorted to assault and the specific allegation is that Krishnandan Thakur gave sword blow on the head and later, Mantosh Kumar attacked Balindra Kumar causing injury to him as also the informant. This led to the FIR.

4. Learned counsel for the petitioners submit that admittedly, the allegation mainly is against the Krishnandan Thakur and Mantosh Kumar, these petitioners, being the family members, got implicated. None have criminal antecedent.

5. Learned APP opposes the prayer submitting that the injuries have been found to be grievous in nature.

6. Considering the submissions of the parties as also that though omnibus allegation is against them, direct allegation is against Krishnandan Thakur and Mantosh Kumar and the injuries given by them have been found to be grievous in nature, these petitioners do not have criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties



of the like amount each in connection with Phenhara P.S. Case No. 162 of 2025 to the satisfaction of learned CJM, Motihari East, Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter I.D./Driving License/Pan Card etc.) to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners 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;

(v) the petitioners 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.

(Rajiv Roy, J)

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