

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89510 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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1. Tapan Singh Son of Late Laxman Singh Resident of Village- Dumariya ,
P.S.- Dumariyaghat, District- East Champaran
 2. Abhay Singh son of Tapan Singh Resident of Village- Dumariya , P.S.-
Dumariyaghat, District- East Champaran
 3. Maini @ Md. Mainuddin Son of Jahruddin Miyan @ Zaharddin Miyan
Resident of Village- Dumariya , P.S.- Dumariyaghat, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioner points out that vide order dated 15.01.2026, the prayer for anticipatory bail in respect of petitioner No.1 has already been withdrawn and now, the anticipatory bail application of petitioner Nos.2 and 3 are being considered.

3. The petitioners are apprehending their arrest in connection with Dumariyaghat P.S. Case No.120 of 2024, F.I.R dated 03.06.2024 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian



Penal Code.

4. According to prosecution case, on 03.06.2024, the informant, Guddi Devi, lodged an FIR at Dumariyaghat Police Station regarding an incident that allegedly occurred on 31.05.2024 at about 9:00 P.M. It is alleged that her son, Aditya Kumar, along with his friends, was returning from Bhawanipur when, near Dumariya Bazar Tower, the accused persons named in the FIR—including the petitioners and 5–6 others armed with lathis, iron rods, and sharp weapons—surrounded and abused them. On the alleged order of petitioner no. 1, Tapan Singh, co-accused Abhay Singh (petitioner no. 2) and Saddam Hussain allegedly assaulted Aditya Kumar with sharp weapons. It is further alleged that Abhay Singh inflicted a knife injury on Satish Singh. The accused persons, including petitioner no. 2 and Sipahi Miyan, allegedly took Rs. 30,000 in cash from Aditya Singh and others. The injured persons were subsequently treated at Kesariya Primary Health Centre, following which the FIR was lodged.

5. Learned counsel for the petitioners submits that the injury sustained by the informant does not support the allegations made against the petitioners as the allegation of causing injury by sharp weapon is made against petitioner No.2



and with respect to petitioner No.3, the allegation of snatching of amount of Rs.3000 is said to have been made. It has next been submitted that the injuries are simple in nature which is said to have been caused by hard and blunt substance and petitioner No.2 has two criminal antecedent and is on bail in the said cases while petitioner No.3 has clean antecedent.

6. Learned APP for the State vehemently opposes the prayer for anticipatory bail application but he does not dispute the fact that the nature of injuries sustained by the informant does not support the allegations levelled in the F.I.R.

7. Considering the aforesaid facts and circumstances that the injury sustained by the informant does not support the allegations made against the petitioner and petitioner No.2 has two criminal antecedent and is on bail in the said cases while petitioner No.3 has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

8. 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 C.J.M., Motihari, East Champaran, in connection with Dumariyaghat P.S. Case No.120 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of 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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