

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6336 of 2025

Arising Out of PS. Case No.-179 Year-2021 Thana- LAURIA District- West Champaran

1. Ramuna Sah S/o Late Mankeshwar Sah R/o Village- Gonauli, Police station- Lauriya, District- west Champaran
2. Bagar Sah @ Umakant Sah S/o Ramuna Sah R/o Village- Gonauli, Police station- Lauriya, District- west Champaran
3. Sunil Sah @ Nitish Kumar S/o Nagendra Sah R/o Village- Gonauli, Police station- Lauriya, District- west Champaran
4. Biroj Sah @ Biroj Prasad S/o Loha Sah R/o Village- Gonauli, Police station- Lauriya, District- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. Learned Counsel for the petitioners submits that during the pendency of the application, petitioner No.1 has been arrested. As such, his application has become infructuous and he is pressing only the bail application of petitioner Nos.2, 3 and 4.

3. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioners who apprehend arrest



in connection with Lauriya P.S. Case No. 179 of 2021, lodged on 02.08.2021, under Sections 341/323/324/307/379/34 of the I.P.C.

4. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners against who there is allegation that they all in connivance with each other visited to the house of the informant and surrounded the informant when he was going to pray Nawaz and with a view to kill assaulted by farsa, lathi due to which bleeding started.

5. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that against petitioner Nos.3 and 4, there is general and omnibus allegation and only allegation of assault is against petitioner No.2 which is not supported by the injury.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that specific allegation of assault is against petitioner No.2.

7. In this background, this Court is not inclined to grant anticipatory bail to the petitioner No.2. Hence, the prayer for anticipatory bail application of petitioner No.2 is hereby rejected.



8. As far as petitioner Nos.3 and 4 are concerned, let they be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional Chief Judicial Magistrate-I, Bettiah, West Champaran, in connection with Lauriya P.S. Case No.179 of 2021, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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