

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6930 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- DHAKA District- East Champaran

1. Marachhiya Devi @ Geeta Devi W/o- Shiv Shankar Sah Village-Jamua ,P.S-Dhaka ,District-East Champaran
2. Shiv Shankar Sah S/o- Late Khalifa Sah Village-Jamua ,P.S-Dhaka ,District-East Champaran
3. Vikash Sah S/o- Shiv Shankar Sah Village-Jamua ,P.S-Dhaka ,District-East Champaran
4. Raj Kumar Sah @ Raj Kumar S/o- Binda Sah @ Binda Kumar Village-Jamua ,P.S-Dhaka ,District-East Champaran
5. Binda Sah @ Binda Kumar S/o- Late Khalifa Sah Village-Jamua ,P.S-Dhaka ,District-East Champaran
6. Nirmala Devi W/o- Vikash Sah Village-Jamua ,P.S-Dhaka ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the application of the petitioner no. 2, namely, Shiv Shankar Sah.

3. Permission is accorded.

4. Accordingly, the present application of the petitioner no. 2, namely, Shiv Shankar Sah is dismissed as



withdrawn.

5. The petitioners have preferred this application for grant of regular bail in connection with Dhaka P.S. Case No. 332/2024 dated 06.08.2024 registered for the offence punishable u/s 103 read with Section 3(5) of the B.N.S.

6. As per the prosecution case, on 03.08.2024 at about 10:30 AM, due to dispute of road, the petitioners armed with Iron rod, Fatta, Lathi and Bricks came at the door of informant and petitioner no.2 Shiv Shankar Sah assaulted the informant's husband with Iron rod on his head, causing injury. Thereafter, the petitioner no. 3, Vikash Sah assaulted him with brick on his back and the petitioner no. 5 Binda Sah ordered to kill him. On the said order, the petitioners Nirmala Devi and Marachhiya Devi caught hold the testicles of the husband of informant and started pulling, due to which the husband of the informant fell down on the ground struggling. The petitioners Binda Sah and Raj Kumar Sah again assaulted the husband of the informant with Lathi and when the informant went to save him, the accused persons also assaulted her. Thereafter, the injured was brought to Dhaka Hospital, where he died during course of treatment.

7. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. There is a delay of 3 days in lodging the F.I.R. The petitioner no. 1 and 6 are ladies. The specific allegation of assault is against the petitioner no. 2, Shiv Shankar Sah. The petitioner no. 1, 3, 4 and 6 have clean antecedent whereas the petitioner no. 5 is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner no. 1 and 3 are in custody since 01.10.2024, the petitioner no. 4 is in custody since 25.10.2024, the petitioner no. 5 is in custody since 20.09.2024 and the petitioner no. 6 is in custody since 04.12.2024.

8. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners. As per the Post Mortem Report, the cause of death is head injury and intracranial bleeding.

9. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Dhaka, East Champaran, in connection with Dhaka P.S. Case No. 332/2024, with the



condition to the petitioner no. 3, 4 and 5:-

(i). The petitioner no. 3, 4 and 5 are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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