

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7629 of 2025

Arising Out of PS. Case No.-437 Year-2024 Thana- HARSIDHI District- East Champaran

1. Vinod Sah S/O- Vishwanath Sah Village- Sewrahan PS- Harsidhi Dist- East Champaran
2. Vishwanath Sah S/O- Late Budhan Sah Village- Sewrahan PS- Harsidhi Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Harsidhi P.S. Case No. 437 of 2024 instituted for the offences under Sections 126, 115(2), 118, 109, 303(2), 351, 352, 3(5) of the B.N.S., 2023.

3. As per prosecution case, the accused persons including the petitioner came at the house of the Informant and began to hurl filthy words. On protest, the petitioner no.1 Vinod Sah allegedly dealt *Farsa* blow on his head cause cut injury. It is also alleged that the petitioners and other co-accused persons entered into the house of the Informant and took out cash Rs. 3



lacs, gold and silver ornaments worth Rs. 70,000/- from the trunk. It is further alleged that the accused persons have also assaulted the mother-in-law of the Informant by means of rod causing fracture injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence at all as alleged against them rather they have falsely been implicated in the present case due to previous enmity and with a view to cause harassment. There is case and counter case between the parties. The present case is a counter blast of the case registered by Rekha Devi, the sister in law of the petitioner no.1 and the same has been registered as Harsidhi P.S. Case No. 438 of 2024. In the occurrence, both the parties have sustained injuries. There is delay of two days in lodging the F.I.R. without there being any plausible explanation for such delay which creates doubt in the prosecution case. Learned counsel for the petitioners further submits that from perusal of the impugned order, it appears that the mother-in-law of the Informant has received grievous injury but, the same has not been attributed specifically against the present petitioners. The petitioners have no criminal antecedent and are languishing in judicial custody since 12.08.2024 without any rhymes or reason. Charge-sheet has been submitted in this



case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that the offence alleged against the petitioners is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsidhi P.S. Case No. 437 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

