

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25247 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- MANSAHI District- Katihar

1.

Rohit Sah Son of Nand Kishore Sah village- Marangi Ps- Mansahi, Dist- Katihar
2.

Amit Sah son of Late Rajendra Sah village- Marangi Ps- Mansahi, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the State	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

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15-05-2025

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Mansahi P.S. Case No. 105 of 2024 for the offence registered under Sections 115(2), 126(2), 303(2), 109, 352, 351(2)(3), 3(5) of the B.N.S., 2023 lodged on 21.09.2024 by the informant Vandana Devi.

3. As per the prosecution story, the informant alleged that in the evening, after closing of the shop, an altercation took place for distribution of shopping money as her husband Subodh Sah and one Rohit Sah were business partners, in which the allegation is that these two petitioners assaulted her husband by lathi causing injury and later her son, Vishnu Kumar and brother-in-law, Shiv Shankar Sah also got injured. Further allegation of snatching of earring and amount are there. This led to the FIR.

4. Learned counsel for the petitioners submits that both



are business partners, exaggerated FIR has been lodged, injuries have been found to be simple in nature and further the two petitioners intend to pay Rs.5,000/- each to the informant [Total Rs. 10,000 (Ten Thousand)] for the treatment through Demand Draft issued by the local State Bank of India Branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that allegation of assault is against the petitioners.

6. Considering the submissions of the parties as also the injuries are simple in nature, the two petitioners have no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs.5,000/- each to the informant [Total Rs. 10,000 (Ten Thousand)] for the treatment as undertaken by the learned counsel for the petitioner to be paid by Demand Draft issued by the local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar in



connection with Mansahi P.S. Case No. 105 of 2024 subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show is *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 attendance;

(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 the bail bonds.

(Rajiv Roy, J)

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