

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29690 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- SALAKHUA District- Saharsa

1. Mungi Devi Wife of Chandan Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
2. Kanchan Devi W/O Nandan Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
3. Kendula Devi @ Chandula Devi W/O Late Raj Kishore Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
4. Hira Devi W/O Late Rohit Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
5. Nandan Sharma S/O Late Raj Kishore Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
6. Kundan Sharma S/O Late Raj Kishore Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
7. Chandan Sharma S/O Late Raj Kishore Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
8. Pankaj Sharma @ Gulab Sharma S/O Late Bishundev Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa
9. Nitish Sharma @ Nitish Kumar S/O Maheshwar Sharma Residents of village- Mahadev Math, ward no. 11, P.S.- Salkhua, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned

APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Salkhua PS. Case No. 06 of 2025 dated 14.01.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 74, 303(2), 352, 351(2) and 3(5) of the BNS, 2023.



3. The prosecution case as emerging from the FIR is that the informant and petitioners' side are agnates and altercation had taken place on account of land dispute leading to injury on both sides and there is case and counter case.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that altercation had taken place on account of land dispute leading to injury on both sides and there is case and counter case. The present case is filed as counter blast of Salkhua P.S. Case No. 09 of 2025 dated 16.01.2025 under Sections 126(2), 115(2), 118(1), 74, 303(2), 352, 351(2) and 3(5) of the B.N.S., 2023 filed by the petitioners' side.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case between the parties and injuries on both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in



the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Salkhua PS. Case No.-06 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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