

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31158 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- KURSAILA District- Katihar

1. Rohit Sah @ Rohit Kumar S/O Anirudd Kumar R/O Balhi Maheshpur, PS- Kursela, Distt- Katihar
2. Chhotu Sah @ Chhotu Kumar S/O Anirudd Kumar R/O Balhi Maheshpur, PS- Kursela, Distt- Katihar
3. Bittu Sah @ Bittu Kumar S/O Anirudd Kumar R/O Balhi Maheshpur, PS- Kursela, Distt- Katihar
4. Priti Kumari @ Prati Kumari D/O Anirudd Sah R/O Balhi Maheshpur, PS- Kursela, Distt- Katihar
5. Ruma Devi W/O Anirudd Sah R/O Balhi Maheshpur, PS- Kursela, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kursela P.S. Case No. 27 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of the BNS.

3. Allegedly, on the fateful day, all the petitioners entered into the house of the informant and started abusing and assaulting him. It is alleged that the petitioners no.2 and 3



assaulted the parents of the informant by means of iron rod over their head. In the meanwhile, when the elder brother of the informant and his maternal aunt came to save his mother, they were also assaulted by the accused. On hulla being raised, the villagers came and thereupon the petitioners succeeded in fleeing away. There is also allegation of snatching the valuables.

4. Learned counsel for the petitioners submitted that in fact on a trifle, both the parties entered into a free fight leading to institution of the case and counter case bearing Kursela P.S. Case No.26 of 2025, which was lodged by the petitioner no.1 preceding to the present case. Taking this Court through the injury report of the petitioners, it is further contended that, in fact, the informant and his associates are aggressor, who brutally assaulted the petitioner, namely, Ruma Devi, Bittu Sah and Chhotu Kumar. So far the injuries which are allegedly sustained to the mother and the elder brother of the informant are concerned, the same have been found to be simple in nature, as is evident from the impugned order. It is lastly contended that the petitioners are the persons of fair antecedent and they undertake that they will fully cooperate in the proceedings of the Court.

5. Learned counsel for the State vehemently opposed



the bail application and submitted that all the petitioners have brutally assaulted the informant and his family members.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced by the learned counsel for the petitioners and taking note of the factum of case and counter case, coupled with the simple nature of injury as also the genesis of the occurrence and the injury sustained to the petitioners also, apart from their fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Kursela P.S. Case No. 27 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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