

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30952 of 2025

Arising Out of PS. Case No.-597 Year-2024 Thana- NAANPUR District- Sitamarhi

1. Lal Sah @ Md. Lal Sah @ Sattar Alam S/O Late Husaini Sah R/O Village- Mohani Sakrauli, P.S- Nanpur, Dist.- Sitamarhi.
2. Md. Sohail Sah @ Hafij Suhail Sah S/O Late Md. Husaini Sah R/O Village- Mohani Sakrauli, P.S- Nanpur, Dist.- Sitamarhi.
3. Md Kaish @ Md. Qais @ Md. Kaish Sah S/O Late Md. Husaini Sah R/O Village- Mohani Sakrauli, P.S- Nanpur, Dist.- Sitamarhi.
4. Noor Sawa @ Nausava Pravin W/O Kaish Sah @ Md. Kaish @ Md Kaish Sh R/O Village- Mohani Sakrauli, P.S- Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-05-2025 Heard the parties.

2. After some argument, learned Advocate for the petitioners seeks liberty of this Court not to press the bail application of petitioner no. 3. Accordingly, prayer for bail of petitioner no. 3 stands dismissed as not pressed.

3. The petitioner nos. 1, 2 and 4 apprehend their arrest in connection with Nanpur P.S. Case No. 597 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of BNS 2023.

4. In course of correction in the survey of the



ancestral land with his *pattidar*, when the informant asked the accused persons to show papers of the land, the petitioners and others started abusing. It is further alleged that on the next date in the morning while the informant was going to his agricultural field, in the meanwhile, all the FIR named accused persons surrounded him and the petitioner no. 3 stabbed knife blow over his stomach, due to which he sustained grievous injuries. It is further alleged that some of the accused persons, who used to live outside the State, they are giving threatening to the informant with dire consequences.

5. Learned Advocate for the petitioners taking this Court through the FIR primarily contended that both the parties are close agnates and only on account of land dispute, they entered into a free fight resulting into unfortunate injury to the informant. The alleged occurrence took place on 07.11.2024 but the present FIR came to be lodged on 16.11.2024 based upon the fardbeyan record on 10.11.2024. It is further contended that so far the allegation of stabbing is concerned, the same has been attributed against petitioner no. 3, who is not before this Court; his prayer for bail is not being pressed. There is no allegation of any overt act against petitioner nos. 1, 2 and 4; moreover they are having fair antecedent and they



undertake before this Court that they will fully cooperate in the investigation and the proceeding of the court.

6. On the other hand, learned Advocate for the State vehemently opposes the bail application.

7. Regard being had to the submissions made on behalf of the parties and considering the materials available on record as also the genesis of occurrence and the parties are close relatives, let the petitioner nos. 1, 2 and 4 abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 597 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner nos. 1, 2 and 4.

(Harish Kumar, J)

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