

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32106 of 2025

Arising Out of PS. Case No.-272 Year-2022 Thana- SUGAULI District- East Champaran

Mantu Sah S/o- Laldhar Sah Village- Phurwariya, PS-Sugauli District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Sugauli P.S. Case No. 272 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 385, 379, 120(B) and 504/34 of the Indian Penal Code.

3. Allegedly, on the fateful day, all the accused persons, including the petitioner, 17 in number, armed with weapons came to the field and caused obstruction in cultivation of land. When the informant raised objection, all the accused persons, including the petitioner, assaulted the informant by means of *farsa* and iron rod. There is specific allegation against the petitioner that he assaulted the informant by means of iron rod over his rib cage where there is allegation of assault against



co-accused Jaldhar Sah over the head of the informant.

4. Learned Advocate for the petitioner submitted that apart from omnibus nature of allegation against 17 accused persons, the injury which is sustained over the head of the informant is found to be grievous in nature but the same has not been attributed against the petitioner. So far the injury attributed against the petitioner is concerned, the nature of the injury has not been discussed in the impugned order and, *prima facie*, it appears to be simple in nature. Other co-accused persons, who were also found involve in the crime, they have been extended the privilege of anticipatory bail by a Bench of this Court in Cr. Misc. No. 68487 of 2024 and further in Cr. Misc. No. 19383 of 2025 vide order dated 20.12.2024 and 16.04.2025, respectively. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the crime and assaulted the informant.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the fact that the injury which is attributed to the petitioner is not



shown to be grievous, coupled with the genesis of the occurrence and the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Sugauli P.S. Case No. 272 of 2022, 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.

(Harish Kumar, J)

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