

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33118 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- SATHI District- West Champaran

1. Manoj Kumar @ Manoj Kumar Sah son of Sikandar Sah @ Sikandra Sah village- Ward No 03 Khajuriya Bahuarwa PS -Sathi District -West Champaran
2. Daksh Kumar Sah @ Dougan Kumar Son of Manoj Kumar Sah village- Ward No 03 Khajuriya Bahuarwa PS -Sathi District -West Champaran
3. Aryan Kumar Son of Manoj Kumar Sah village- Ward No 03 Khajuriya Bahuarwa PS -Sathi District -West Champaran
4. Poonam Devi son of Manoj Kumar Sah village- Ward No 03 Khajuriya Bahuarwa PS -Sathi District -West Champaran
5. Brij Kishor Sah @ Birkishore Sah Son of Late Laxchhandeo Sah @ Late Laxman Deo Sah village- Ward No 03 Khajuriya Bahuarwa PS -Sathi District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard the parties.

2.The petitioners are named in the F.I.R. and apprehending their arrest in connection with Sathi P.S. Case No. 173 of 2024 registered for the offences punishable under Sections 189(2), 126(2), 115(2), 118, 76, 109 and 352 of BNS (Sections 142, 341, 323, 324, 354B, 307 and 504 of the Indian Penal Code respectively)



3. The allegation against petitioners is to assault informant and others alongwith co-accused persons causing head and bodily injury using *lathi* and slaps having intention to cause their death where occurrence alleged to be taken place out of local dispute and differences.

4. It is submitted by learned counsel appearing on behalf of the petitioners that during the occurrence injury was alleged to be inflicted upon injured Brijkishore Mishra and Chanda Devi by co-accused persons/petitioners whereupon medical examination the injury was found single and simple in nature sufficient to suggest that petitioner were not under intention to cause their death. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Jage Ram & Others vs. State of Haryana*** reported in ***(2015) 11 SCC 366***. While concluding arguments, it is submitted that above named petitioners are



persons of clean antecedents.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual and legal submissions as injuries inflicted during occurrence found single and simple in nature negating *prima-facie* intention to cause death on its face, accordingly petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran/concerned Court, where the case is pending in connection with Sathi P.S. Case No. 173 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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