

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39686 of 2025**

Arising Out of PS. Case No.-11 Year-2025 Thana- PARSAUNI District- Sitamarhi

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Laxmi Sah Son of Late Chulhai Sah R/O Village- Kathaur, P.S.- Parsauni,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Ranjan, Adv
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, APP
For the Informant	:	Mr. Sanjay Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

2. The petitioner seeks bail in connection with
Parsauni P.S. Case No. 11 of 2025 registered for the offence
punishable under Sections 191(2), 191(3), 190, 126(2), 115(2),
118(2), 109, 352, and 351(2) of B.N.S., 2023 and Sections 25(1-
B)(a), 27 and 35 of the Arms Act.

3. The petitioner has one criminal antecedent. He is an
accused in Parsauni P.S. Case No. 08 of 2023 registered for
offence under Section 379 of the IPC in which the petitioner
claims to be on bail.



4. The allegation which has surfaced during the course of investigation against the petitioner is that the petitioner gave a blow on the head of Pankaj Sah which led to injury on the head of Pankaj Sah. The petitioner is named in the FIR.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has one criminal antecedent and is in custody since 05.02.2025 and charge-sheet against him has already been filed, prolong custody of the petitioner is no longer required. He also emphasizes on the fact that the petitioner is not a serial offender. He submits that in the case diary, it has come that two persons had allegedly assaulted Pankaj Kumar on the head by lathi which has resulted in only one injury. He therefore, contends that the case seems to be improbable lending credence to the fact that the petitioner has been framed in the present case.

6. Learned APP appearing for the State as well as learned counsel appearing for the informant vehemently oppose the prayer for regular bail of the petitioner.

7. On perusal of paragraph 6 of the case diary, it transpires that two persons are alleged to have given a blow on



the head of Pankaj Sah which has resulted in only one injury. The injury report also suggests that the injury sustained is simple in nature caused by hard and blunt substance. It is difficult to ascertain as to whether the injury sustained by Pankaj Kumar is on account of blow given by which person. The petitioner has remained in custody for more than six months. Considering all these aspects of the matter and particularly taking note of the fact that the injury sustained by Pankaj Sah is simple in nature and even if it happened due to the blow given by the petitioner, this Court is inclined to grant privilege of bail to the petitioner. The petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parsauni P.S. Case No. 11 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the



bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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