

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37733 of 2025

Arising Out of PS. Case No.-350 Year-2013 Thana- MAJHAULIA District- West Champaran

Dhurendra Sah @ Dhurendar Sah S/o Dasai Sah @ Dasayin Sah R/o Village-
Ojha Mathiya, P.S.- Majhauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Majhauliya P.S. Case No. 350 of 2013 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 325, 307, 427, 379, 436, 504 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons set the houses of the informant and others on fire and the houses of informant and others were gutted along with household articles. The occurrence took place in the background of land dispute.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The FIR has been lodged against 15 persons with general and omnibus allegation and there is no specific allegation against this petitioner. The occurrence took place in the night at 3:00 AM and there was no occasion for the informant to identify the miscreants. Learned counsel further submits that both the parties are co-villagers and there was long standing land dispute between them, which has resulted in lodging of a number of cases by both sides against each other. There is no cogent material against the petitioner and he was under a bonafide belief that he would not be arrested, still he has been arrested. The police has submitted charge-sheet under Sections 147, 148, 149, 341, 323, 427, 436, 504 and 506 of IPC but did not submit charge-sheet under Sections 307, 379 and 325 of IPC. Learned counsel further submits that the similarly placed co-accused Mukesh Sah has been granted bail vide order dated 31.01.2024 passed in Criminal Misc. No. 3264 of 2024 and another co-accused Vilash Mahto has also been granted bail vide order dated 08.01.2024 passed in Criminal Misc. No. 84745 of 2023 by the different Co-ordinate Benches. The case of the petitioner is on similar footing. The petitioner is having antecedent of seven cases and except one case, he is on bail in all the cases. The petitioner is in custody since 27.02.2025.



05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner and other co-accused persons were specifically named by the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific and vague nature of allegation against the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 350 of 2013, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates 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.

(Arun Kumar Jha, J)

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