

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39661 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- MADHUBAN District- East Champaran

1. Ram Ekbal Sah S/O Late Paras Sah Resident of Village- Taksari, P.S.- Madhuban, District- East Champaran.
2. Bhola Sah S/O Late Paras Sah Resident of Village- Taksari, P.S.- Madhuban, District- East Champaran.
3. Birendra Prasad S/O Babulal Sah Resident of Village- Taksari, P.S.- Madhuban, District- East Champaran.
4. Umesh Prasad S/O Babulal Sah Resident of Village- Taksari, P.S.- Madhuban, District- East Champaran.
5. Ram Autar Sah S/O Late Raghubar Singh Resident of Village- Taksari, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Informant	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-09-2025 Heard Mr. Ajay Kumar Singh, learned counsel for the Petitioners, Mr. Abhishek Kumar, learned counsel for the informant and Mr. Narsingh Tanti, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Madhuban P.S. Case No. 32 of 2025 dated 20.01.2025 registered for the offences punishable under Sections 191(2), 191(3), 126(2), 115(2), 118(1), 109, 76 and 303(2) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by the petitioners'



counsel are that the FIR was registered four days after the commission of the alleged occurrence and in the present matter, two persons namely, Sanjay Kumar and Azadi Kumar, are said to have sustained injuries but on their person, very simple injuries were found, in fact, there was a free fight took place in between both the parties and there is case and counter case in between them and from the petitioners' side, some persons also sustained injuries. It is lastly submitted that all the petitioners have fair and clean antecedent and the nature of injuries sustained by the injured persons does not corroborate the manner of occurrence as well as the use of the alleged weapons by the accused/petitioners.

4. On the other hand, the learned counsel appearing for the informant has vehemently opposed the prayer for bail of the petitioners and submits that there is serious allegation against the petitioner, Bhola Shah, who assaulted at the head of the injured, Sanjay Kumar, by means of *kudal*.

5. Considering the aforesaid submissions and mainly the facts that the injured persons detailed above, sustained very simple injuries and there is case and counter case in between both the parties and as per above submission, from the petitioner's side also, some persons sustained injuries and also,



taking into account petitioners’ fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Madhuban P.S. Case No. 32 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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