

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40860 of 2025

Arising Out of PS. Case No.-258 Year-2025 Thana- JAHANABAD District- Jehanabad

1. Sulender Sao @ Surendra Kumar @ Surendra Kumar Sao, aged about 58 years, Male, S/O Late Janaki Sao
2. Vishal Kumar, aged about 28 years, Male,
3. Rahul Kumar, aged about 19 years, Male,
Both S/O Sulender Sao @ Surendra Kumar @ Surendra Kumar Sao
4. Madhuri Devi, aged about 52 years, Female, W/O Sulender Sao @ Surendra Kumar @ Surendra Kumar Sao
All are Resident of Village- Sewnan, P.S- Jehanabad, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-07-2025 Heard Mr. Nityanand Neeraj learned counsel appearing on behalf of the petitioner and Mr. Ram Priya Sharan Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jehanabad (Karauna O.P.) P.S. Case No. 258/2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 117(2), 110, 303(2), 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioners abused and assaulted the informant and his family members in which informant and his son sustained injury. They



also snatched the gold locket from the neck of the wife of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Petitioners and informant are own *gotia* and there is admitted land dispute between them and due to the said land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury on the persons of the informant and his son without intention. The injury sustained by the injured person is simple in nature. Petitioner no.1 has one criminal antecedent in which he has been acquitted, whereas petitioners no.2 to 4 have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR, I find that both the parties are own family members and due to land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury on the person of the informant and his



son. Injury sustained by the injured persons is simple in nature. I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Jehanabad (Karauna O.P.) P.S. Case No. 258/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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