

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41483 of 2025**

Arising Out of PS. Case No.-88 Year-2025 Thana- BASANTPUR District- Siwan

1. Ishwar Sah @ Eshvr Sah, S/O Late Sagar Sah Resident of- Basantpur, P.S.- Basantpur, Distt-Siwan
2. Shri Ram Sah S/O Late Sagar Sah Resident of- Basantpur, P.S.- Basantpur, Distt-Siwan
3. Rajan Kumar S/O Sriman Sah Resident of- Basantpur, P.S.- Basantpur, Distt-Siwan
4. Bittu Kumar S/O Sriman Sah Resident of- Basantpur, P.S.- Basantpur, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

3      15-10-2025                      Heard Mr. Ajay Kumar Pandey, learned counsel appearing on behalf of the petitioner and Mr. Jharkhandi Upadhyay, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Basantpur P.S. Case No. 88/25 registered for the offence(s) punishable under Sections 126(2)/115(2)/118(1)/117(2)/109(1)/303(2)/352/3(5) of BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners had assaulted the informant and her family members, as a result of which,



they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. He further submitted that due to past enmity, both the parties entered into fierce fight during which, in self defence, the petitioners may have caused some injury on the informant's side but the injuries sustained by the injured persons are simple in nature, as per the opinion of the doctor.

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, having perused the allegation made in the FIR and also the fact that there is case and counter case between the parties and the injuries sustained by the injured persons are simple in nature, I am of the opinion that petitioners have, *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 A.C.J.M.1st, Siwan / Concerned Court in connection with Basantpur P.S. Case No. 88/25, 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)**

Sanjay/-

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