

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43947 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- BAIRIYA District- West Champaran

1. Hajari Sah S/O Ambika Sah R/O Village- Balua Rampurwa, Ward No.-17, P.S- Bairiya, Distt.- West Champaran, Bihar.
2. Rangila Sah S/O Ambika Sah R/O Village- Balua Rampurwa, Ward No.-17, P.S- Bairiya, Distt.- West Champaran, Bihar.
3. Raghubir Sah S/O Ambika Sah R/O Village- Balua Rampurwa, Ward No.-17, P.S- Bairiya, Distt.- West Champaran, Bihar.
4. Bharat Sah S/O Ambika Sah R/O Village- Balua Rampurwa, Ward No.-17, P.S- Bairiya, Distt.- West Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-10-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Bairiya P.S. Case no.2 of 2025 registered under sections 191(2), 126(2), 115(2), 352, 329(3), 109, 118, 303(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the seven named accused persons including the four petitioners herein are said to have come variously armed and of having abused and assaulted



the informant and the members of his family. It is on the orders of Ambika Sah that Raju Sah, Raghubir Sah, Bharat Sah and Rangila Sah are said to have assaulted the informant and others. It is further stated that Hajari Sah forcibly took the silver bangle of the informant.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations are general and omnibus in nature and the injury reports do not support the allegations levelled in the FIR. There is case and counter case between the parties. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P for the State who submits that so far as petitioner nos. 3 and 4 are concerned, they are said to have assaulted the informant and corresponding two injuries have been found, out of which one is said to be grievous. It is further submitted that petitioner no. 2 is said to have assaulted the nephew of the husband of the informant and the injury found on his body, the opinion with respect to the nature thereof has been reserved.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R., there being specific allegation of assault against



petitioner nos. 2, 3 and 4 together with corresponding injuries having been found, the Court is not inclined to enlarge these petitioners on anticipatory bail and the application is rejected.

7. The petitioner nos. 2, 3 and 4 are directed to surrender in the learned Court below within a period of four weeks.

8. In view of the facts and circumstances of the case together with the material that has transpired in course of investigation, it is directed that petitioner no. 1 Hajari Sah, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bairiya P.S. Case no.2 of 2025 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 Additional Chief Judicial Magistrate-III, Bettiah, West Champaran.

(Partha Sarthy, J)

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