

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41345 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- KALYANPUR District- East Champaran

1. Ramchandra sah Son of Late Ashrif Sah @ Asfi Sah Resident Of Village- Khokhra Ward No 11, Ps- Khalyanpur District- East Champaran (Motihari)
2. Jilajit Sah @ Jilajeet Sah Son of Late Ashrif Sah @ Asfi Sah Resident Of Village- Khokhra Ward No 11, Ps- Khalyanpur District- East Champaran (Motihari)
3. Laxman Sah Son of Late Ashrif Sah @ Asfi Sah Resident Of Village- Khokhra Ward No 11, Ps- Khalyanpur District- East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 05-12-2025 After some argument, the learned counsel for the petitioner seeks permission to withdraw this anticipatory bail application in respect of petitioner nos. 1 and 2.

2. Permission is accorded.

3. The present application is accordingly, dismissed as withdrawn with regard to petitioner nos. 1 & 2 only.

4. So far as the petitioner no. 3 is concerned, he apprehends his arrest in connection with Kalyanpur P.S. Case No. 374 of 2024, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 127(2), 115(2), 118(1), 105, 76, 303(2), 351(2), 352 of the BNS.

5. The prosecution case is that on 10.10.2024 at



about 07:30 A.M., the FIR named accused persons including the petitioners came at the door of the informant having equipped with lathi, rod and farsa and assaulted the son and daughter-in-law of the informant, took away ornaments worth Rs. 2,00,000/-. In the said occurrence, the informant's son sustained grievous injury and in course of treatment at Motihari, Muzaffarpur and Patna, he succumbed to his injuries.

6. The learned counsel for the petitioner no. 3 has submitted that the petitioner is innocent and has falsely been implicated in this case. Both the parties are agnates and there is admitted dispute regarding pathway. The allegation is general and omnibus. The petitioner is a person of clean antecedent.

7. On the other hand, learned APP for the State has opposed the prayer for bail.

8. The allegation of assault is against petitioner nos. 1 and 2, as well as against co-accused Om Prakash Gupta. So far as petitioner no. 3 is concerned, there is no allegation of assault against him.

9. Considering the above-mentioned facts and circumstances, let the petitioner no. 3, in the event of his



arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-12, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 374 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

(Nawneet Kumar Pandey, J)

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