

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45120 of 2025

Arising Out of PS. Case No.-566 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Babulal Sah @ Nanhak Sah
2. Nathu Sah@Naathu Sah
3. Manoj Sah
All 1 to 3 are S/O Late Rekha Sah @ Ram Rekha Sah
4. Sarita Devi W/O Manoj Sah
5. Jaggi Devi W/O Babulal Sah @ Nanhak Sah
6. Usha Devi W/O Nathu Sah
All are R/O Village- Raghunathpur, P.S- Chiraiya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-07-2025 Heard Mr.Karandeep Kumar, learned counsel for
the petitioners and Mr.Syed Mojibur Rahman, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Chiraiya P.S.Case No.566 of 2023,FIR dated
06.12.2023 registered for the offences punishable under
Sections 341,323,307,504,506/34 of the Indian Penal Code.

3. Allegation against the petitioners is that, due to
land dispute, they assaulted to the informant and his family
members.



4. Learned counsel for the petitioners submits that petitioner Nos.1 to 3 carry one more case other than the present one and petitioner Nos.4 to 6 have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence had taken place, although there is specific allegation against the petitioners that they have assaulted to the family members of the informant. Although the police, after investigation, submitted chargesheet against the petitioners under Sections 341,323,504,506/34 of IPC but the learned court below, in a mechanical manner, has taken cognizance against the petitioners under Sections 307 of IPC and other Sections of the IPC on the basis of the photograph submitted by the informant's side.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioners and submits that petitioner Nos.1 to 3 carry one more case other than the present one.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on



furnishing bail bond of Rs.10,000 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Chiraiya P.S. Case No.566 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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