

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41961 of 2025**

Arising Out of PS. Case No.-134 Year-2025 Thana- BABUBARHI District- Madhubani

Kudush Sah S/o Rahim Sah Resident of Village- Baruar, P.S.- Babubarhi,  
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

3      14-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Babubarhi P.S. Case No. 134 of 2025, corresponding to G.R. No. 776 of 2025 instituted for the offences under Sections 191(2), 329(4), 126(2), 115(2), 109, 76, 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that, on the alleged date and time, all the accused persons forcibly entered the house of the informant, assaulted her and her family with deadly weapons due to which they sustained injuries. It is further alleged that the accused persons also outraged her modesty by pulling her sari and also looted Rs. 10,000/- worth of household



items including gold chain.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The allegation of outraging the modesty of the informant is attributed to other co-accused persons. There is case and counter-case between the parties. He further submitted that the injuries sustained by the injured persons are simple in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.04.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babubarhi P.S.



Case No. 134 of 2025, corresponding to G.R. No. 776 of 2025.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

