

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41311 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- SAKATPUR District- Darbhanga

1. MAHESH SINGH Son of Late Gurak Singh Resident of village - Dhankaul, Ward No.- 5, Police Station - Sakatpur, District - Darbhanga.
2. Dhiraj Kumar Son of Mahesh Singh Resident of village - Dhankaul, Ward No.- 5, Police Station - Sakatpur, District - Darbhanga.
3. Shambhu Kumar Son of Mahesh Singh Resident of village - Dhankaul, Ward No.- 5, Police Station - Sakatpur, District - Darbhanga.
4. Arjun Sadai @ Arjun Kumar Son of Ashrafi Sadai @ Asharfi Sadai Resident of village - Dhankaul, Ward No.- 5, Police Station - Sakatpur, District - Darbhanga.
5. Sanjeet Sadai @ Sangeet Kumar @ Sangeet Sadai Son of Ashrafi Sadai @ Asharfi Sadai Resident of village - Dhankaul, Ward No.- 5, Police Station - Sakatpur, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42637 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- SAKATPUR District- Darbhanga

1. Anand Kumar S/o Mahesh Singh Resident of Village-Dhankaul, Ward No.5, Police Station-Sakatpur, District-Darbhang
2. Ashrafi Saday @ Asharfi Saday S/o Late Sundar Saday Resident of Village-Dhankaul, Ward No.5, Police Station-Sakatpur, District-Darbhang
3. Bijul Saday S/o Bhikhan Saday Resident of Village-Dhankaul, Ward No.5, Police Station-Sakatpur, District-Darbhang
4. Raju Saday S/o Ashrafi Saday @ Asharfi sadai Resident of Village-Dhankaul, Ward No.5, Police Station-Sakatpur, District-Darbhang

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 41311 of 2025)

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, Advocate

(In CRIMINAL MISCELLANEOUS No. 42637 of 2025)

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate



For the Opposite Party/s : Mr. Mithlesh Kumar Khare, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-10-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Sakatpur P.S.Case no. 21 of 2025 registered for the offence punishable under sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the eleven named accused persons including the nine petitioners herein are said to have come variously armed with *bhala*, *danda*, *khanti*, knife etc. and of having abused and assaulted the informant and others. While the petitioner nos. 1 and 5 are said to have assaulted the informant's nephew namely Amit Kumar, petitioner nos. 4 and 5 are said to have assaulted the informant.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations against the petitioners besides being general and omnibus in nature are not supported from the injury reports. In view of the nature of allegation as levelled in the FIR, the petitioners be enlarged on anticipatory bail.

5. The application for bail is opposed by learned



APP for the State who submits that all the petitioners are named in the FIR and there is specific allegation against petitioner nos. 1, 4 and 5 of having assaulted the informant and his nephew. It is further submitted that the injury on the informant has been found to be grievous in nature.

6. At this stage, learned counsel for the petitioners seeks permission to withdraw the application for anticipatory bail so far as petitioner no.1, Mahesh Singh, petitioner no.4, Arjun Sadai @ Arjun Kumar and petitioner no.5, Sanjeet Sadai @ Sanjeet Kumar @ Sanjeet Sadai are concerned.

7. The application for anticipatory bail of petitioner no.1 Mahesh Singh, petitioner no.4 Arjun Sadai @ Arjun Kumar and petitioner no.5 Sanjeet Sadai @ Sanjeet Kumar @ Sanjeet Sadai stand dismissed as withdrawn. They are directed to surrender in the learned Court below within a period of four weeks.

8. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the allegations being general and omnibus in nature, there being no specific allegation against them of having assaulted either the informant or his nephew, in the facts of the case the other petitioners namely petitioner no.2 Dhiraj Kumar and petitioner



no.3 Shambhu Kumar of Cr.Misc. no.41311 of 2025 and petitioner no.1 Anand Kumar, petitioner no.2 Ashrafi Saday, petitioner no.3 Bijul Saday and petitioner no.4 Raju Saday in Cr.Misc. no.42637 of 2025, in the event of their arrest or surrender before the learned Court below within a period of four weeks are directed to be released on anticipatory bail in connection with Sakatpur P.S. Case no.21 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Darbhanga.

(Partha Sarthy, J)

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