

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42832 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- MANJHAGARH District- Gopalganj

Sunil Sah @ Sunil Kumar Sah S/o Late Sudama Sah R/o Village- Pathra, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhanshu Kr. Lal, Sr. Advocate
		Mr. Javed Aslam, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar, APP
For the Informant	:	Ms. Abhilasha Jha, Advocate
		Ms. Vijay Shanker Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 18-07-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Manjhargarh P.S. Case no. 118 of 2025, registered under section 126(2), 118(1), 109, 115(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the six named accused persons including the petitioner herein besides others came variously armed. It is stated that on the order of one Dinesh Sah, Lalan Sah assaulted with a *daab*. The informant states that on the other members of the family coming to her rescue, co-accused Sona Devi assaulted with a *hasua*. Further, as a result of assault by Girja Devi, Madhu Devi, Sunil Sah (petitioner) and Dinesh Sah, others persons also sustained



injuries. They were taken to the Primary Health Centre from where the husband of the informant was referred to Gopalganj and thereafter to Gorakhpur. Hence the delay in lodging of the FIR.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case as a result of land dispute between the parties, which would be evident from the contents of the FIR itself. Referring to the plaint of the partition suit (Title Suit no.442 of 2023) pending in the Court of Sub Judge-I, Gopalganj, it is submitted that while the informant is the plaintiff no.2 therein, the petitioner happens to be the defendant no.3. Learned counsel submits that even from the FIR, the main allegation is on Lalan Sah while the allegations on the petitioner are general and omnibus in nature. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for anticipatory bail is opposed by learned A.P.P for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is not only named in the FIR but there is direct allegation against him of having assaulted the informant. Referring to the contents of the FIR as also the plaint of partition suit, it is submitted that there are several pending dispute between the parties and even in the past, there have been assault by the accused persons as a



result of which the family of the informant is still being treated. Referring to the order of the learned trial Court, it is submitted that Rama Sah sustained injuries on his head which was found to be grievous in nature.

6. In response, it is submitted by learned counsel for the petitioner that the said injury on Rama Sah is not attributable to the petitioner herein.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the submissions made by learned counsel for the petitioner and the contents of the plaint of Title Suit no.442 of 2023 brought on record as Annexure-2 to the petition, it is directed that the petitioner above named, 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 Manjhargarh P.S. Case no.118 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-VI, Gopalganj.

(Partha Sarthy, J)

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