

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47232 of 2025

Arising Out of PS. Case No.-824 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Domi Sada Son of Late Biranchi Sada Resident of Bhelwa Ward No. 3, P.S.- Saharsa, Dist- Saharsa
2. Laxman Sada Son of Late Biren Sada Resident of Bhelwa Ward No. 3, P.S.- Saharsa, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Saharsa Sadar P.S. Case No. 824 of 2024 instituted for the offence under Sections 191(2), 190, 126(2), 115(2), 118(1), 109, 303(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3 & 4 of the Bihar Dain Act.

3. The informant alleged that on 06.08.2024, she and her family were brutally assaulted by several named co-villagers who accused her of being a witch (*Dain*). Her son was grievously injured with iron rods and a spade, resulting in a severe head injury, and cash and ornaments were looted from



her house.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 13-05-2025. Petitioners bear no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. As per FIR, there is no specific allegation against the petitioner No.1 and petitioner No.2 allegedly assaulted the son of the informant, who sustained simple injury caused by hard and blunt substance. There is unexplained delay of eight (8) days in lodging the FIR. It is submitted that present case is the counter blast of case lodged by Sulekha Devi bearing Saharsa Sadar PS Case No. 809 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and nature of accusation, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with Saharsa
Sadar P.S. Case No. 824 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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