

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50353 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- MALAHI District- East Champaran

1. Rajkumar Sah @ Raj Kumar S/O Singhasan Sah Resident of village- Sirani Mathiya, P.S.- Malahi, District- East Champaran
2. Hiralal Sah @ Hiralal Kumar Sah S/O Singhasan Sah Resident of village- Sirani Mathiya, P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 74, 118(1), 117(2), 303(2), 352, 109, 351(3), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., petitioner no. 1 assaulted on the head of Runa Devi, Puja Devi and husband of the informant with *farsa* and petitioner no. 2 is alleged to have assaulted on the head of informant with iron rod. Doctor has found the injury sustained by the husband of informant to be grievous in nature.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have committed no



offence. No such occurrence, as alleged in the F.I.R., ever took place. Though injury sustained by the husband of informant is grievous but rest of the injured sustained simple injuries.

5. Learned counsel for the State opposed the bail application and submits that petitioner no. 1 gave *farsa* blow to the husband of informant causing grievous injury.

6. In view of the fact that petitioner no. 1 caused grievous injury, **prayer for anticipatory bail of petitioner No. 1 is refused.**

7. However, considering the nature of accusation against petitioner no. 2, the **anticipatory bail with regard to petitioner no. 2 is allowed** and it is ordered that the above named petitioner no. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged 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 Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Malahi P. S. Case No. 05 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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