

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50901 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- BANIAPUR District- Saran

Dhanesh Sah Son of Late Bhola Sah Resident of Village- Khalishpur, P.S.-
Baniyapur, Distirrect- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehend arrest in connection with Baniyapur P.S. Case No. 127/2025 lodged on 29.03.2025, for the offences punishable under sections 127(1), 115(2), 118(1), 109, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the present F.I.R. has been lodged against the petitioner and some unknown persons, alleging that they assaulted the informant with *lathi* and '*sariya*', causing head injuries to the informant and three others.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has clean antecedents, and there exists a case and counter-case



between the parties. The present case is, in fact, a counterblast to Baniyapur P.S. Case No. 130 of 2025, lodged by the petitioner. All the offences under which the present F.I.R. has been registered are bailable, except those under Sections 109 and 118(1) of the B.N.S.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the accusations against the petitioner are specific.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Baniyapur P.S. Case No. 127/2025, pending before the learned J.M. 1st Class, Chapra at Saran is hereby rejected.

7. However, if the petitioner surrenders before the Trial Court within six weeks from today, the Trial Court is directed to pass an order on his surrender-cum-bail application on the same day, without being prejudiced by the fact that the petitioner's anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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