

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62029 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- SANJHOLI District- Rohtas

1.

Binod Mushar S/o Munna Musahar @ Manu Ram Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas at Sasaram
2.

Meyar Mushar @ Mithlesh Musahar S/o Late Chandan Musahar @ Phaudar Musahar Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas at Sasaram
3.

Madari Musahar @ Binod Musahar S/o Chandra Musahar @ Ramchandra Musahar Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas at Sasaram
4.

Meera Devi D/o Chandra Musahar @ Ramchandra Musahar Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas at Sasaram
5.

Ramakant Mushar @ Ramakant Kumar S/o Jagdish Mushara Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr.Raghunandan Kumar Singh, Advocate
Mr. Harendra Kumar Singh, Advocate

For the Opposite Party/s :

Mr.Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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10-09-2025

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Sanjhauli P.S. Case No. 78 of 2025, registered for the offences under Sections 126(2), 115(2), 352, 351(2), 74, 303(2), 109, 3(5) of the B.N.S.

3. As per the prosecution case, the petitioners and other co-accused persons in an inebriated condition assaulted

the nephew of the informant and also tried to outrage the modesty of the daughter-in-law of the informant. They also snatched silver chain and gold earring worth Rs.25,000/- from the informant.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. From the FIR, it is clear that the allegation of assaulting with *rama* is against co-accused Rohit Mushar and Mohit Mushar whereas allegation of giving knife blow is against petitioner Ramakant Mushar. But the injury report of the nephew of the informant does not show any sharp cut injury and the injuries are only lacerated wounds on forehead, nose and upper lip which falsifies the allegation against Ramakant Mushar that he gave knife blow to the nephew of the informant. Allegation of snatching ornaments is false and concocted and not believable. Learned counsel further submits that further allegation of trying to outrage the modesty of the daughter-in-law of the informant is against Sonu Mushar who is not a petitioner. Therefore from the facts of the FIR it is apparent that the petitioners were only members of unlawful assembly and there is general and omnibus allegations against them. Injury report of only one injured, namely Bahadur Dom,

has been brought on record and it means no other person has suffered any injury. The petitioner no. 1 is in custody since 12.05.2025 and other petitioners are in custody since 14.05.2025. All the petitioners are having clean antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the general, non-specific and non-serious nature of allegation against the petitioners and also considering submission of charge sheet against them and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Bikramganj, Rohtas/concerned court, in connection with Sanjhauli P.S. Case No. 78 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on

each and every date fixed by the below, if
so required by the learned trial court.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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