

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53925 of 2025**

Arising Out of PS. Case No.-322 Year-2025 Thana- SIKARPUR District- West Champaran

1. Aniruddh Sah @ Anarudh Sah @ Anidh Shah S/o Sita Ram Sah R/o Ward No. 5, Khodi, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455
2. Minister Sah @ Abhay Kumar Sah @ Manishtar Sah S/o Aniruddh Sah R/o Ward No. 5, Khodi, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455
3. Vinay Kumar Yadav @ Vinay Yadav S/o Makkhan Yadav R/o Ward No. 5, Shikarpur Tola, Diulia, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455
4. Raj Kumar Yadav S/o Makkhan Yadav R/o Ward No. 5, Khodi, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455
5. Palakh Yadav @ Palak Yadav S/o Banke Yadav @ Bake Yadav R/o Ward No. 5, Khodi, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455
6. Alakh Yadav S/o Banke Yadav @ Bake Yadav R/o Ward No. 5, Khodi, P.S.- Narkatiyaganj, West Champaran, Bihar- 845455

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                        |
|--------------------------|---|----------------------------------------|
| For the Petitioner/s     | : | Mr. Krishna Prasad Singh, Sr. Advocate |
|                          | : | Mr. Sanjay Kumar Tiwari, Advocate      |
| For the Opposite Party/s | : | Mr. Binod Kumar, APP                   |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      04-08-2025                      Heard Mr. Krishna Prasad Singh, learned senior counsel appearing for the petitioners and Mr. Binod Kumar, learned APP for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw this application with respect to petitioner No.1, namely, Aniruddh Sah @ Anarudh Sah @ Anidh Shah with liberty to him to surrender before the learned court below within a period of four weeks from today and seek regular bail.



3. Permission is accorded.

4. The application is dismissed as withdrawn with the liberty that petitioner No.1, namely, Aniruddh Sah @ Anarudh Sah @ Anidh Shah surrenders and seeks regular bail before the learned court below, the same shall be considered on the same day on its own merit in accordance with law and without being prejudiced by any observation in the present order.

5. Petitioner Nos.2 to 6 are apprehending their arrest in connection with Shikarpur P.S.Case No.322 of 2025, FIR dated 15.03.2025 registered for the offences punishable under Sections 126(2),115(2),118(1),117(2),110,109,303(2),352 read with Section 3(5) of Bhartiya Nyay Sanhit, 2023.

6. According to prosecution case, specific allegation against co-accused person namely, Aniruddh Sah @ Anarudh Sah @ Anidh Shah is that he assaulted by lathi to one Kamlesh Singh. Petitioner No.2 alongwith co-accused person, namely, Guddu Sah assaulted to Sipahi Singh by iron rod on his head, petitioner Nos.5 and 6 have assaulted to Lalan Singh by iron rod on his head and petitioner No.4 alongwith co-accused person, namely, Biond Yadav assaulted to Chanda Devi by knife.

7. Learned counsel for the petitioners submits that the petitioners have clean antecedent. The allegation as alleged in



the FIR is false and fabricated. Although the petitioners are named in the FIR but it appears from the FIR that the specific allegation against co-accused person namely, Aniruddh Sah @ Anarudh Sah @ Anidh Shah is that he assaulted by lathi to one Kamlesh Singh and there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons (petitioners) and there is case and counter case and both sides have received the injury.

8. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

9. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and the injury inflicted upon the injured persons by the petitioners is simple in nature, let petitioner Nos.2 to 6, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 learned Additional Sessions Judge-V, West Champaran, Bettiah in connection with Shikarpur P.S. Case



No.322 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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