

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57357 of 2025**

Arising Out of PS. Case No.-132 Year-2025 Thana- PATAHI District- East Champaran

1. Sunarpati Devi wife of Late Daresh Sah Resident of village - Mahamada, Ps- Patahi, Dist- East Champaran
2. Surmila Devi Wife of Hariom Sah Resident of village - Mahamada, Ps- Patahi, Dist- East Champaran
3. Hiralal Sah son of Late Daresh Sah Resident of village - Mahamada, Ps- Patahi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                      |
|--------------------------|---|------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Harsh Shashwat, Adv.<br>Mr. Abhishek Kumar, Adv. |
| For the Opposite Party/s | : | Mr. Parmanand Kumar, APP                             |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      27-08-2025                      Heard the parties.

2. The petitioners apprehend their arrest in connection with Patahi P.S. Case No. 132 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 76, 302(3), 3(5) of the BNS, 2023.

3. Allegedly, on the fateful day while the informant was celebrating birthday of his grand daughter, in the meanwhile, all the petitioners armed with weapon entered into the house and brutally assaulted the informant and others. It is specifically alleged that petitioner no. 3 assaulted the informant by means of knife due to which he sustained cut injury over his head. When the son of the informant came to his rescue, he was



also assaulted by means of iron rod. There is further allegation that the petitioner no. 3 misbehaved with the wife of the informant, apart from the allegation against the petitioner nos. 1 and 2 of snatching the valuables.

4. Learned Advocate for the petitioners submitted that the alleged occurrence took place on 15.03.2025 but to the utter surprise the FIR came to be instituted on 25.03.2025 without there being any plausible explanation for delay. Taking this Court through the impugned order, learned Advocate for the petitioner further contended that the injuries which are allegedly sustained over the body of the informant, the same has been found to be simple in nature. The other allegation of snatching of valuables against the petitioner nos. 1 and 2 is nothing but the concocted one. The genesis of the occurrence is said to be long standing dispute between the parties. The petitioners bear fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposes the bail application and submits that the serious allegation has been levelled against the petitioner no. 3 of inflicting knife blow over the head of the informant.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of



delay in lodging of the FIR, coupled with the simple nature of injury and their fair antecedent, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> , Motihari, East Champaran in connection with Patahi P.S. Case No. 132 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

**(Harish Kumar, J)**

Anjani/-

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