

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65755 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- KHAJAUЛИ District- Madhubani

1. Shatrudhan Sah @ Shatrudhan Kumar S/o- Sita Ram Sah Resident of village- Malik Tola Kanhauli PS- Khajauli District- Madhubani
2. Munna Sah @ Munna Kumar Sah S/o- Late Shivajee Sah Resident of village- Malik Tola Kanhauli, P.S- Khajauli, District- Madhubani
3. Ram Kumar @ Ram Kumar Sah S/O- Late Shivajee Sah Resident of village- Malik Tola Kanhauli, P.S- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shailendra Kumar Jha, Advocate
For the State	:	Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 22-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

02. In the present case, the petitioners seek bail in connection with Khajauli P.S. Case No. 103 of 2025 registered for the alleged offences under Sections 329(3), 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

03. As per prosecution case, the petitioners and other co-accused persons armed with *lathi*, *danda*, pistol came to the house of the informant and hurled filthy words. When opposed, the petitioner Shatrudhan Sah fired upon the informant on his



left thigh and petitioner Munna Sah assaulted with *Farsa* on the head of the informant causing it fracture.

04. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case in the background of land dispute which he admitted in the FIR. There is case and counter case and the petitioner Shatrudhan Sah has received serious injury in the hands of the informant side and Khajauli P.S., Case No. 104 of 2025 has been lodged against the informant side under Sections 329(3), 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of BNS and Section 27 of the Arms Act. The injury report of the informant does not show any firearm injury though it shows fracture of distal end of clavicle and nature of injury stated to be grievous. Similarly, the injury of the wife of the informant is not by any sharp weapon and it is a fracture of walls of right maxillary sinus causing hemo sinus with fracture of right orbit and right zygomatic bone stated to be grievous. There is no firearm or sharp cut injury and the allegation against the petitioners Shatrudhan Sah and Munna Sah is falsified. There is no specific allegation of assault against the petitioner Ram Kumar. The petitioners are in custody since 03.06.2025 and charge sheet has been submitted. The petitioners are having antecedent of two cases, in one of the cases they



were acquitted and in another case they are on bail.

05. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the specific allegation of assault is against petitioner nos. 1 and 2.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case of the parties and further considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Madhubani/concerned Court in connection with Khajauli P.S. Case No. 103 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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 court below.
- (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)

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