

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63341 of 2025**

Arising Out of PS. Case No.-108 Year-2025 Thana- BARGAINIA District- Sitamarhi

1. Hiralal Sah S/o- Gurucharran Sah Village -Ashogi , P.s-Bairganiya , District -Sitamarhi
2. Pannalal Sah S/o- Gurucharan Sah Village -Ashogi , P.s-Bairganiya , District -Sitamarhi
3. Lovely Kumari @ Priyanka Shroff @ Lovely Shroff D/o- Rajesh Prasad Village -Ashogi , P.s-Bairganiya , District -Sitamarhi, P/A- Kalaiya Ps- Kalaiya W.No-10, Dist- Bara Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

2      10-09-2025                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 115(2), 126(2), 303(2), 109, 118, 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the FIR, the marriage of the informant's cousin sister was finalized in Nepal. It is alleged that the co-accused Rohan Kumar sent messages in filthy language to Nepal, where the marriage of informant's sister was fixed. When the informant inquired about the matter from Rohan Kumar,



both he and petitioner no. 3 abused the informant. It is further alleged that all the accused persons, including the petitioners, assaulted the informant with *lathis* and *dandas*. When the informant's brother came to his rescue, petitioner no. 1 and 2 also assaulted him with lathis and snatched money and gold ornaments from him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case due to enmity and personal grudge. The allegations levelled against the petitioners are totally false and fabricated. It is further submitted that Soni Devi, wife of petitioner no. 2, has filed a counter case against the informant and his family members, bearing Bairganiya P.S. Case No.119 of 2025, wherein similar allegations have been made. The local police have registered the counter case under Sections 115(2), 126(2), 303(2), 352, 351(2), and 3(5) of the Bhartiya Nyaya Sanhita, and the informant and his family members have already been granted bail in that case by the learned Court below. It is further submitted that the informant and the petitioners are relatives and that, owing to an old dispute between the parties, the instant case has been falsely registered against the petitioners as an act of revenge. It is also submitted that for the same incident, there



is case and counter case between the parties and both parties have sustained simple injuries. It is next submitted that there is no likelihood of the petitioners absconding or tampering with evidence. The petitioners are ready to abide by all terms and conditions imposed by this Court for the grant of anticipatory bail. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Taking into account that there is case and counter case between the parties and the informant's side has sustained simple injuries, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, Sitamarhi/Successor Court in connection with Baarganiya P.S. Case No.108 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official



document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Ajit Kumar, J)**

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