

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63667 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- SAUR BAZAR District- Saharsa

Sunil Sah, S/O Late Kamleshwari Sah, Resident of Village- Indarwa, P.S.-
Saur Bazar, Dist.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-09-2025 Heard Ms. Rashmi Jha, learned counsel for the
petitioner and Mr. Humayou Ahmad Khan, learned APP for the
State.

2. The petitioner has prayed for bail in connection with
Saur Bazar P.S. Case No. 78 of 2025 registered for the offence
punishable under Sections 126(2), 115(2), 109, 74, 303(2), 352,
3(5) and Section 103(1) of B.N.S.

3. The case of the prosecution, in short, is that the
petitioner is the order giver and on his order other accused persons
assaulted the informant and his family members. One Bijendra
Poddar, the father of the informant died during course of
treatment.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. It has further



been submitted that from perusal of the F.I.R. itself it is clear that the role of this petitioner is only that he has ordered to kill. No overt act has been alleged against him. There is admitted land dispute between the parties. There is also case and counter case between the parties. Petitioner is having no criminal antecedent and he is in judicial custody since 14.07.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that there is allegation that petitioner has ordered to kill and on his order other accused persons have assaulted due to which father of the informant died.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Saharsa in connection with Saur Bazar P.S. Case No.78 of 2025.

(Ashok Kumar Pandey, J)

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