

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71017 of 2025**

Arising Out of PS. Case No.-262 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

1. Sita Ram Sah S/O Ram Surat Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.
2. Ram Surat Sah S/O Late Deepal Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.
3. Radhe Shyam Sah S/O Ram Surat Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.
4. Sudin Sah S/O Ram Sevak Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.
5. Ram Sevak Sah S/O Late Deepal Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.
6. Ravi Sah @ Ravi Kumar S/O Ujagar Sah R/O Village- Hetanpur, P.S.- Shahpur Patory, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      04-11-2025                      1.    Heard learned counsel for the petitioners and learned A.P.P. for the State, Sri Chandra Bhushan Prasad.

2.    The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita.

3.    Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant



alleges that he was constructing his house when accused persons came and objected the construction and abused him and when the informant protested, accused Jagarnath punched him and dashed him on the ground and when his nephew came to save him, Jagarnath assaulted him by an iron rod causing injury on head and after all accused started pelting bricks causing injury to several persons and when informant's brother came to save him, the accused person assaulted him by *lathi* causing fracture of hand and also vandalized the house and took away the belongings.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation that alleged in the FIR, it would manifest that an altercation took place in between the parties on account of construction of house on the disputed land. It is further submitted that on account of dispute relating to land, the occurrence is alleged to have taken place in which both sides assaulted each other. It is also submitted that even presuming what has been alleged is true without admitting then the specific allegation of assault is against Jagarnath and as far as petitioners are concerned, the allegation of assault against them



is general and omnibus in nature, i.e., no specific allegation of assault is alleged against them and petitioners are not criminals.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahpur Patory P.S. Case No. 262 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

**(Satyavrat Verma, J)**

Sumit/-

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