

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74399 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- TARAIYA District- Saran

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1. Birendra Sah @ Birendra Kumar Gupta S/o- Lalbabu Sah R/v- Ramdashpur PS- Panapur Dist- Saran
 2. Vishal Sah @ Vishal Kumar S/o- Shiv Charan Das R/v- Moreya PS- Panapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-11-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Taraiya P.S. Case No.149 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117, 109, 352, 351(2), 303(2) and 3(5) of the BNS, 2023.

3. The allegation against these two petitioners is of catching hold the informant and his cousin, whereupon the other co-accused persons assaulted them due to which they sustained serious injuries. There is further allegation of snatching of valuables, besides abusing and threatening.

4. Learned Advocate for the petitioners referring to



the FIR has primarily contended that even if the allegation is accepted for the sake of argument against the petitioners, they are not the persons who had assaulted any of the persons leading to any injury, much less grievous in nature. In fact, the persons of the informant's side were the aggressor. On 23.05.2025, the petitioners along with others were brutally assaulted in which the petitioner no.1 sustained grievous injury as has been stated in para-8 of the bail application. The aforesaid incident led to institution of Panapur P.S. Case No.176 of 2025 lodged by the petitioner no.1. The present FIR is with respect to an occurrence, which took place on 23.05.2025 but the same has been instituted on 25.05.2025. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court and would not indulge in such kind of activity in future.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime and because of the fact that they caught hold the informant and his cousin, other co-accused persons have brutally assaulted them.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and considering



the nature of accusation attributed to the petitioners, coupled with the factum of case and counter case and their fair antecedents, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Saran at Chapra in connection with Taraiya P.S. Case No.149 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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