

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77457 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- MALAHI District- East Champaran

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1. Tapasi Sah @ Tapahi Sah S/O Badri Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 2. Krishna Sah S/O Raghunath Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 3. Ramnath Sah S/O Late Dochki Sah @ Duchki Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 4. Lalbabu Sah S/O Raghunath Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 5. Badri Sah S/O Late Dochki Sah @ Duchki Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 6. Raghunath sah S/o Late Dochki Sah @ Duchki Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran
 7. Shivnath Sah S/O Late Dochki Sah @ Duchki Sah R/O Vill.- Pachrukhiya, P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the Informant	:	Mr. Prateek Tandon, Advocate
		Mr. Rohit Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2025 Heard learned counsel appearing on behalf of the

petitioners, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case



registered for the offence punishable under Sections 115(2), 126(2), 109, 303(2) and 352 of the B.N.S..

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including these petitioners, abused and assaulted informant and his family members and also snatched cash from pocket of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. The present case is counter-blast of Malahi P.S. Case No. 80 of 2025 which was lodged, before lodging of the present F.I.R., by Petitioner No. 6 against informant and others and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged. From bare perusal of the F.I.R. it is apparent that there is absolutely no allegation of assault against Petitioner Nos. 4, 5 and 7. Rest of the allegations are ornamental in order to make the case grave. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners



are named in the F.I.R. and there is specific accusation that Petitioner Nos. 1, 2, 3 and 6 assaulted Harendra Sah and Hiralal Sah due to which they sustained grievous injuries.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 1, 2, 3 and 6 is rejected.

7. So far as Petitioner Nos. 4, 5 and 7 are concerned, considering the facts and circumstances of the case, general and omnibus nature of accusation, case and counter-case between the parties and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to Petitioner Nos. 4, 5 and 7 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 4, 5 and 7 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Malahi P.S. Case No. 81 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..



9. With the aforesaid directions, this application
stands disposed of.

(Prabhat Kumar Singh, J)

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