

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79766 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- BAIRIYA District- West Champaran

Suresh Sah S/o Late Sriram Sah R/o Tadhvanandpur, Tola, Dihi, Ward No. 4,
P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 308(2), 352, 118(1), 109, 76, 303(2), 351(2) and 3(5) of B.N.S., 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on account of dispute relating to land, Anil Kumar caught him and Sunil Sah assaulted by *farsa* causing injury on head and Anil Kumar tried to strangulate by a towel, while Nitesh Kumar assaulted him by lathi and Rahul Kumar by *tangi* causing injury on head. Further, petitioners assaulted him by rod causing fracture of leg while Mala Devi and Ruby Devi



assaulted his wife.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that Bairiya P.S. Case No.259 of 2025 has been instituted against the informant and his side by the petitioner and his side. It is next submitted that no doubt Bairiya P.S. Case No.259 of 2025 was instituted subsequent to the instant FIR but then the *fardbeyan* of the informant of Bairiya P.S. Case No.259 of 2025 was recorded at the hospital and in the said FIR, it was alleged that the informant side on 11.06.2025 had come and had assaulted the side of the petitioner. It is thus submitted that the informant wisely instituted the instant FIR on 12.06.2025. It is also submitted that from perusal of the allegations, as alleged in the instant FIR, it would manifest that informant alleges that the occurrence took place at 02:00 p.m. but then a specific pleading has been made at para-10 of the anticipatory bail application that the injury report of informant and Rahul Kumar was prepared at 01:20 and 01:25 p.m. which casts an aspersion on the allegation that as to whether the injured suffered injury in the manner as alleged in the instant FIR or otherwise. It is also submitted that petitioner is not a criminal.



5. Learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) 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 Bairiya P.S. Case No.229 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

Sanjay/-

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