

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80408 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- WARISNAGAR District- Samastipur

Santosh Kumar @ Santosh Sah S/o Jalandhar Sah R/o Village - Gohi
Bishunpur, Lokhmi, P.S - Warisnagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sameer, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Warisnagar P.S Case No. 297/2024 dated 12.12.2024 registered for the offence punishable u/ss 126(2), 115(2), 118(1), 109, 303(2), 352 and 351(2) of the B.N.S.

3. As per the prosecution case, the petitioner and the co-accused persons were abusing the father and mother of the informant. On protest, they started abusing the informant. In the meantime, the co-accused, Anjali Kumari ordered to kill the informant. On hearing this, the petitioner assaulted the informant on head with iron rod causing head injury. When the



informant's son and daughter went to rescue, they were also assaulted. During the course of scuffle, they snatched gold chain of the informant worth Rs. 1,40,000/- and they entered the house of the informant and looted Rs. 35,000/- and some documents.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of 46 days in lodging the F.I.R. The petitioner is full brother of the informant. Learned counsel has submitted that the informant is habitual drinker due to which he fell on the ground and sustained injury. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that earlier the prayer for anticipatory bail of the petitioner has already been rejected by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 36079 of 2025.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Warisnagar P.S Case No. 297/2024 with the conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. Accordingly, the application stands allowed.

(Chandra Prakash Singh, J)

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