

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83310 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- JOGAPATTI District- West Champaran

Sunil Sah, S/o Late Yogindra Sah, R/o - Kuarapatti, P.S - Yogapatti, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Yogapatti P.S. Case No. 190 of 2024 registered for the offences punishable under Sections 341, 323, 341, 323, 307, 447, 120B/34 of the Indian Penal Code.

3. The allegation against the petitioner is of causing *Tangi* blow over the head of the informant's husband, due to which he sustained serious injury, besides the allegation of causing assault to informant and other family members against the other accused persons.

4. Learned Advocate for the petitioner submitted that the parties are agnates and only on account of a trifle, they entered into a scuffle, resulting into unfortunate injury. Even, if



the allegation levelled in the F.I.R. is to be noticed, it is admitted fact that there is no repetition of blow and the entire incident took place on a hit of rage. The petitioner is not a habitual offender and he bears fair antecedent. Taking note of all these facts, the parties have also compromised the matter and they do not want to proceed further. The petitioner undertakes that he will fully cooperate in the proceeding of the court and would not indulge in such type of activity in future.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that from the discussions noted in the impugned order, it appears that the informant has sustained serious injury over his head, though the nature of the injury has not been disclosed.

6. Regard being had to the submissions advanced by the learned Advocate for the parties and considering the genesis of the occurrence, besides the fact that there is no repetition of blow and the impugned order also does not discuss the nature of the injury, as also the fair antecedent of the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 190 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further conditions:

- (i) One of the bailors shall be the own/close relative of the petitioner.
- (ii) In case the petitioner is found indulged in intimidating the witnesses or the informant or indulged in such type of activity in future, the informant or the State shall be at liberty to file an application for cancellation of bail bonds of the petitioner.

(Harish Kumar, J)

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