

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83182 of 2025

Arising Out of PS. Case No.-171 Year-2021 Thana- HARSIDHI District- East Champaran

1. Chandeshwar Sah, S/o Sita Ram Sah, Resident of Village- Laukariya, P.O. and P.S - Harsidhi, District - East Champaran
2. Sita Ram Sah, S/o Late Bega Sah, Resident of Village - Laukariya, P.O. and P.S - Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Harsidhi P.S. Case No. 171 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

3. Allegedly the petitioners have called upon the informant and his son to their house and as soon they reached at the door, they were brutally assaulted by all the accused persons. It is specifically alleged that petitioner no.1 assaulted the informant over her head by means of Iron rod. In the meanwhile, when the son of the informant came to her rescue, he was also assaulted by petitioner no.2 and other co-accused



persons, due to which he also sustained injury, besides his hand was broken.

4. Learned Advocate for the petitioners submitted that the petitioners are non-else, but the brother and father of the informant respectively. In fact, on account of a dispute arisen due to partition of ancestral property, a scuffle took place, resulting into some unfortunate injury; moreover the alleged incidence took place on 16.05.2021, but the F.I.R. came to be instituted on 18.05.2021. The injury, which is allegedly sustained to the informant is concerned, the same has been found to be simple in nature whereas the son of the informant has sustained grievous injury, however, the same is not on vital part of the body. The petitioners bear fair antecedent and undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that these petitioners have brutally assaulted the informant and her son, besides there is corresponding injuries, which clearly suggest the complicity of the petitioners.

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



of the genesis of the occurrence, coupled with the relationship between the parties, besides the nature of injuries as well as the fair antecedent of the petitioners, let the petitioners, named above, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 171 of 2021, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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