

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85441 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- MAHISHI District- Saharsa

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1. Vinod Kumar Sah @ Vinod Kumar Son of Narayan Sah R/o Village - Baluaha, P.S. - Mahishi, Dist. - Saharsa.
 2. Chandra Kumar Sah @ Chandan Kumar Sah Son of Late Nirdhan Sah R/o Village - Chainpura, PS. - Adhaura, Dist. - Kaimur, Bhabhua.
 3. Raju Kumar Son of Lakhan Sah @ Lalan Sah R/o Village - Chainpura, PS. - Adhaura, Dist. - Kaimur, Bhabhua.
 4. Narayan Sah Son of Late Nirdhan Sah R/o Village - Chainpura, PS. - Adhaura, Dist. - Kaimur, Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025 Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Mahishi P.S. Case No. 212 of 2025, registered for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 303(2), 308(2), 109, 74, 352, 351(2) and 351(3) of the B.N.S.

3. In the evening of the fateful day, when the informant went to see her husband at his shop, in the meanwhile, she found that all the FIR named accused persons,



including the petitioners, variously armed came there and pulled out her husband and demanded a ransom of Rs. Five lakhs. It is specifically alleged that co-accused *Manikant Sah* hold his collar and gave a *dab* blow over his head, due to which he sustained head injuries. The petitioners along with others also brutally assaulted by means of lathi, fist and kick. Besides the aforesaid allegation, it is further alleged that accused persons also snatched the valuables worth Rs. 2,40,000/-.

4. Learned Advocate for the petitioners submitted that the genesis of the occurrence is nothing but a land dispute, giving rise to Title Suit No. 126 of 2017, which is pending before the learned Sub-Judge, Saharsa. There is counter version of the present case being Mahishi P.S. Case No. 213 of 2025. Moreover, the doctor has found three injuries over the body of the informant's husband, out of which one of them, which is allegedly sustained over the head, is found to be grievous in nature, but from the narratives of the FIR, the same has been attributed to co-accused *Manikant Sah*, who is not before this Court. The petitioners bear two criminal antecedent, as has been disclosed in paragraph no. 3 of the application, however, both these cases have been instituted by the persons of the informant's side, that too, on account of a land dispute. It is



lastly contended that the petitioners undertake that they will fully co-operate in the proceeding of the Court and would not indulge in such activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the corresponding injury over the body of the informant's husband clearly speaks about the participation of the petitioners, who have allegedly assaulted the informant's husband.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the genesis of the occurrence, coupled with the injury over the head of the informant's husband, which is specifically attributed to co-accused *Manikant Sah*, who is not before this Court, besides the factum of case and counter case, let the petitioner above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned C.J.M, Saharsa in connection with Mahishi P.S. Case No. 212 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the



further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners shall be found indulge in intimidating the informant/witnesses or tampering with the evidence, the informant shall be at liberty to file an application for cancellation of the bail of the petitioners.

(Harish Kumar, J)

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