

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84258 of 2025

Arising Out of PS. Case No.-328 Year-2025 Thana- SISWAN District- Siwan

1. Sonu Sah, S/O Ramchandra Sah, R/O Village- Chandpur, P.S- Siswan, Distt.- Siwan.
2. Amit Kumar Sah, S/O Ramchandra Sah, R/O Village- Chandpur, P.S- Siswan, Distt.- Siwan.
3. Pooja Kumari, D/O Ramchandra Sah, R/O Village- Chandpur, P.S- Siswan, Distt.- Siwan.
4. Ramchandra Sah, S/O Ganesh Sah, R/O Village- Chandpur, P.S- Siswan, Distt.- Siwan.
5. Piyush Kumar Sah, S/O Muneshwar Sah, R/O Village- Gopalpur, P.S- Hussainganj, Distt.- Siwan, At present R/O Village- Chandpur, P.S- Siswan, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Lalan Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-12-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Siwan P.S. Case No. 328 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 303(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya



Sanhita.

3. The allegation against the petitioners is of causing assault to the informant's husband and her son, leading to serious injury.

4. Learned Advocate appearing on behalf of the petitioners submitted that the parties are agnates and they are bickering over a land dispute. So far the injuries allegedly sustained to the informant's husband and her son are concerned, one of them have sustained three injuries, out of which injury no. 1 and 2 are simple in nature, whereas the injury which is allegedly sustained over the right forearm, is found to be grievous in nature, which is on non-vital part. So far the injury allegedly sustained to the informant's son is concerned, out of two injuries, one of them has been found to be grievous in nature and the other injuries are found to be simple in nature. Moreover, the informant has not sustained any injury. There is a counter version of the present case being Complaint Case No. 1604 of 2025 instituted by the petitioner no. 2. The petitioners bear fair antecedent and they undertake that they will not indulge in such activities.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits



that there is specific accusation against petitioner nos. 1, 2 and 4 of causing assault, leading to grievous injuries.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the nature of accusation, let the petitioner nos. 3 and 5 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) with two sureties of the like amount **each** to the satisfaction of the learned A.C.J.M.-VII, Siwan in connection with Siwan P.S. Case No. 328 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

7. So far the petitioner nos. 1, 2 and 4 are concerned, considering the nature of accusation of causing assault which led to grievous injuries, this Court is not persuaded to enlarge the petitioner nos. 1, 2 and 4 on anticipatory bail; however, if the petitioner nos. 1, 2 and 4 surrender before the jurisdictional Court preferably within a period of four weeks' from today, their prayer for bail shall be considered without being prejudiced by



the order of this Court, besides the submission that all of them
are carrying fair antecedent.

(Harish Kumar, J)

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