

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1247 of 2025

Arising Out of PS. Case No.-217 Year-2022 Thana- DURAULI District- Siwan

1. Rajkumar Sah S/O Gaya Sah Resident Of Village- Donkhurd, P.S- Darauli, Distt.- Siwan.
2. Nirmala Devi W/O Rajkumar Sah Resident Of Village- Donkhurd, P.S- Darauli, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rampravesh Nath Tiwari, Adv

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-02-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with Darauli

P.S. Case No. 217 of 2022 registered for the offences

punishable under Sections 147, 341, 447, 323, 325, 307,

504, 506 and 302/34 of the IPC.

3. The allegation against the petitioners is to

caught hold the son of informant alongwith other co-accused,

thereafter one of the co-accused Rohit Kumar Sah gave knife



blow in his right side of stomach and sustained injury and during the course of treatment he died.

4. Learned counsel appearing on behalf of the petitioners submitted from the facial perusal of FIR, that maximum allegation as appearing against petitioner no. 1 is to assault son of informant with *lathi* which hit on his hand and allegation against petitioner no. 2 is to drag mother of deceased by holding hair during the course of occurrence. It is pointed out that the allegation is appearing very much general and omnibus in nature and similarly situated co-accused persons namely Chandrama Gupta and Brij Mohan Sah were granted anticipatory bail by learned co-ordinate benches of these Courts through Cr. Misc. No. 29553 of 2023 dated 17.07.2023 and 35313 of 2023 dated 21.07.2023 respectively. While concluding the argument it is submitted that petitioners are husband and wife of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for bail.

6. In view of the facts and circumstances and by taking note of the fact as allegation to cause fatal injury is



available against co-accused Rohit Kumar Sah, whereas allegation against both petitioners, appearing very much general and omnibus, accordingly the petitioners above named, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Siwan/concerned Court below where the case is pending in connection with Darauli P.S. Case No. 217 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482 (2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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