

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1054 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- Chhaudahi District- Begusarai

1.

Sanjay Sah Son of Late Ram Prasad Sah Resident of Village- Sahuri Ward No. 16, Post Office - Baraipura, P.S. - Chhaurahi, Pin Code- 848204, District - Begusarai
2.

Ajay Kumar Sah @ Ajay Sah Son of Sanjay Sah Resident of Village- Sahuri Ward No. 16, Post Office - Baraipura, P.S. - Chhaurahi, Pin Code- 848204, District - Begusarai
3.

Sambhu Sah Son of Sanjay Sah Resident of Village- Sahuri Ward No. 16, Post Office - Baraipura, P.S. - Chhaurahi, Pin Code- 848204, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s

:

Mr. Sanjeev Kumar Mishra, Sr. Advocate
Ms. Manini Jaiswal, Advocate
Mr. Ashwini Kumar, Advocate

For the Opposite Party/s :

Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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08-05-2025

Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Chhaurahi P.S. Case No. 37 of 2024, lodged on 14.05.2024, under Sections 307/323/324/341/325/ 379 /448 / 506/34 of the Indian Penal Code.



3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners alleging therein that they all assaulted the sons of the informant brutally by Iron rod, Khanti, Sword etc. Allegation of attacking at the house and loot of cash, jewellery, attaichi and all the articles of the house has been alleged. Specific allegation has been made against petitioner No.1 that he has assaulted on his neck by sword with a view to kill but injury has been caused on the left side of his head.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the antecedents of the petitioners are clean. Counsel further submits that the present case in which petitioners are seeking bail is Chhaurahi P.S. Case No.37 of 2024, whereas for the same date and place of occurrence Chhaurahi P.S. Case No.36 of 2024 has been lodged by petitioner No.1 against the informant's son. Counsel submits that in the said case petitioner No.1 has alleged against the son of the informant that he was in habit of recording the nude and vulgar videos of female and used to put on social media. Upon oppose, he used to assault the person who used to allege and request him not to do such things. Learned Counsel for the



petitioners submits that the action of the son of the informant of the present case has already been alleged in the FIR. Learned Counsel submits that the present case has been filed by the informant only with a view to save the skin of his son in Chhaurahi P.S. Case No.36 of 2024. Counsel submits that Annexure-2 is the injury report which does not match with the allegation and injuries are simple in nature.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that from the record it transpires that there is case and counter case.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of S.D.J.M., Manjhaul, Begusarai, in connection with Chhaurahi P.S. Case No. 37 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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