

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1540 of 2026

Arising Out of PS. Case No.-328 Year-2025 Thana- CHAKIA District- East Champaran

1. Chandan Sah S/O Suresh Sah Resident of Village - Ghasipakad, P.S- Chakia, District - East Champaran at Motihari
2. Pankaj Kumar Son of Late Sitaram Sah Resident of Village - Ghasipakad, P.S- Chakia, District - East Champaran at Motihari
3. Kishan Kumar Son of Sikandra Sah @Sikander Sah Resident of Village - Ghasipakad, P.S- Chakia, District - East Champaran at Motihari

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Chakia P.S. Case No. 328 of 2025 dated 20.06.2025, registered for the offences punishable under Sections 115(2), 118(2), 126(2), 109, 303(2), 352 and 351(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioners and ten other co-accused persons came to the doors of the informant and assaulted the informant and her family members with iron-rod and *lathi* causing a number of injuries to them.

4. Learned counsel appearing on behalf of the



petitioners submits that petitioners have falsely been implicated in the present case. The parties are at litigating terms and they have also lodged Chakia P.S. Case No. 258 of 2025 and Chakia P.S. Case No. 259 of 2025 against each other. The injury reports do not support the allegations. The injury report of injured Upendra Sah shows a superficial injury of size *1 cm x 0.5 cm x Skin deep* over left side of parietal region and the injury report of the informant shows lacerated wound of size *10 cm x 0.5 cm x Skin deep* over occipital region. But the dimensions of injury show the superficial nature of injury. The allegations are general and non-specific. Moreover, in an assault by 13 persons the victim receiving only such injuries is not believable. Learned counsel next submits that petitioner nos. 1 and 2 got clean antecedent while petitioner no. 3 is having antecedent of one case which is also lodged by the same informant. Learned counsel lastly submits that petitioners are in custody since 24.10.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and non-specific nature of allegation against the petitioners and further considering the injury reports of the victim



and also considering their period of custody and submission of chargesheet, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari / concerned Court, in connection with **Chakia P.S. Case No. 328 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	
---	--	---	--

