

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1161 of 2026

Arising Out of PS. Case No.-50 Year-2025 Thana- NAUHATTA District- Saharsa

1. Ramotar Sharma Son of Late Nathuni Sharma Resident of Village- Mohanpur, Ward No. 09, Ps- Nauhatta, Dist- Saharsa
2. Ram Chandra Sharma son of Late Nathuni Sharma Resident of Village- Mohanpur, Ward No. 09, Ps- Nauhatta, Dist- Saharsa
3. Pawan Sharma Son of Ram Chandra Sharma Resident of Village- Mohanpur, Ward No. 09, Ps- Nauhatta, Dist- Saharsa
4. Nilam Devi Wife of Sajan Sharma Resident of Village- Mohanpur, Ward No. 09, Ps- Nauhatta, Dist- Saharsa
5. Anita Devi Wife of Raju Sharma Resident of Village- Mohanpur, Ward No. 09, Ps- Nauhatta, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Adv.
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2026 Heard Mr. Subesh Sharma, learned Counsel for the

petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nauhatta P.S. Case No. 50 of 2025 for the offence registered under sections 191(2), 190, 109, 132, 121(i), 121(2), 352, 351(2) of BNS lodged on 24.03.2025.

3. As per the prosecution story, the informant alleged that during the patrolling duty and on information that due to land dispute, there is a possibility of blood shed, Police reached



the place but the group started misbehaving/pushing the Police team and also behaved indecently with the lady Police Officers/ started beating them. This led to the FIR.

4. Learned Counsel for the petitioners submit that they had no role to play but all of them have been implicated. Further, none of the five petitioners have criminal antecedent. Further, the submission is that without accepting the allegation and/or the outcome of the present petition, the petitioners want to contribute Rs. 1,000/- each (total Rs.5,000/-) to the A.S.I., Nikki Kumari who was posted with the Nauhatta Police Station in the district of Saharsa through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted before the 'NAZARAT' of concerned Court to be handed over to A.S.I., Nikki Kumari after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that they have assaulted the Police personnel.

6. Considering the submissions of the parties as also that they have no criminal antecedent, the injury of Nikki Kumari has been found to be simple in nature, in that background, this Court is inclined to grant them the anticipatory



bail with conditions subject to payment of Rs. 1,000/- each (total Rs.5,000/-) to the A.S.I., Nikki Kumari who was posted with the Nauhatta Police Station in the district of Saharsa as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local branch of the State Bank of India/any Nationalized Bank to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saharsa in connection with Nauhatta P.S. Case No. 50 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

