

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4901 of 2026

Arising Out of PS. Case No.-486 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Babua Sah S/o Late Hari Sah R/o Kahra Block, Ward 24/42, PS- Saharsa,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anand Nitin, Advocate
		Mr. Hariom Deepak, Advocate
		Mr. S. Kumar, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s :		Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-02-2026 Heard Learned Counsel for the petitioner 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 petitioner who apprehends arrest in connection with Saharsa Sadar P.S. Case No. 486 of 2024, lodged on 21.05.2024, under Sections 147/149/341/323/ 324 / 325/307/ 354/379/504/506 of the I.P.C.

3. As per the prosecution, FIR has been lodged against 16 named accused persons and 3-4 unknown accused persons including the present petitioner. It has been alleged that all



accused persons variously armed came to the place of occurrence and started abusing and assaulting the informant and her family members. The specific allegation against the petitioner is that he has assaulted by lathi.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner is aged about 57 years of age and allegation of one lathi blow is against the petitioner. He further submits that the cause of dispute between the parties are land dispute where Panchayti took place but due to disrespect of the Panchayti this occurrence took place. Learned Counsel submits that co-accused have been granted anticipatory bail by the coordinate Benches as well as by this Bench vide order dated 13.08.2025 passed in Cr. Misc. No.32439 of 2025, vide order dated 01.12.2025 passed in Cr. Misc. No.80112 of 2025 and vide order dated 21.01.2026 passed in Cr. Misc. No.79046 of 2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that some of the accused persons have been granted anticipatory bail.

6. As such, in the present facts and circumstances of this case, let the above named petitioner 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) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 486 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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