

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3423 of 2026

Arising Out of PS. Case No.-262 Year-2025 Thana- SHAHPUR PATORI District- Samastipur

Bhikhar Sah @ Bhikhari Sah @ Jagarnath Sah Son of Late Ram Prasad Sah
Resident of Village- Hetanpur, P.S.- Shahpur Patory, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 191(2),
190, 126(2), 115(2), 109, 303(2), 352, 351(2) of the Bharatiya
Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 16-6-2025 at 3 pm, he was getting his house
constructed when his 7 named agnates including the petitioner
came and said whey he is constructing the house on their land,
on objection, petitioner dashed him on the ground and when
Nitish came to save him, petitioner assaulted him by rod causing
injury on head, thereafter other accused pelted stones on account



of which several persons got injured and his niece suffered injury on hand, mouth and lips and accused persons also assaulted his brother Rajesh by lathi causing fracture of finger of hand.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that on account of dispute relating to construction of house on land, the occurrence is alleged to have taken place. It is further submitted that the land belongs to the side of the petitioner, on which informant was constructing his house and the same was objected when an altercation took place leading to occurrence. It is also submitted that from the side of the petitioner Shahpur Patori PS Case No. 266 of 2025 has been instituted against the informant and his side. It is next submitted that petitioner is alleged to have assaulted Nitish by rod causing injury on head but then from perusal of the order impugned, it manifests that the same records the injury but then does not record the nature of injury even after perusing case diary, which amply demonstrates that the injury was simple in nature and the blow is not alleged to have been repeated. It is also submitted that as far as other



accused persons are concerned, the allegation of assault against them is general and omnibus in nature. It is submitted that petitioner is not a criminal.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahpur Patory P.S. Case No. 262 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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