

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7372 of 2026**

Arising Out of PS. Case No.-511 Year-2025 Thana- MAHARAJGANJ District- Siwan

1. Amit Kumar son of Sobhan Sah Resident of Village-Patedha P.S-  
Maharajganj, Dist- Siwan
2. Rakesh Sah @ Rakesh Kumar son of Late Marua Sah @ late Baharan Sah  
Resident of Village-Patedha P.S- Maharajganj, Dist- Siwan
3. Sumit Kumar Son of Sobhan Sah Resident of Village-Patedha P.S-  
Maharajganj, Dist- Siwan
4. Nitesh Sah @ Nitesh Kumar son of Late Marua Sah @ Late Baharan Sah  
Resident of Village-Patedha P.S- Maharajganj, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Chandra, Advocate  
For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      22-04-2026                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners are apprehending arrest in connection with Maharajganj P.S. Case No. 511 of 2025, dated 19.10.2025, lodged under Sections 115(2), 126(2), 351(2), 352, 74, 117, 118, 109, 303(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the specific allegations against petitioner Nos. 1, 2, and 3 are that they assaulted the victim with a sword, whereas the allegation against petitioner No. 4 is that he assaulted the victim with an iron rod, as a result



of which injuries were caused.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the criminal antecedents of the petitioners are clean. It is further submitted that there are specific allegations against petitioner no. 4 and another co-accused, who is not a petitioner herein, that they have caused injury by iron rod.

5. Counsel further submits that there is allegation of assault by sword against three petitioners, however, no corresponding injury attributable to such weapon is reflected in the injury report. Counsel further submits that on a previous occasion, with a view to verify the injury report, the case diary was called for. Counsel also submits that the petitioners are ready to abide by and fulfil all the conditions that may be imposed upon them.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioners but fairly submits that the case diary was called for to verify the injury.

7. Upon perusal, it transpires that there are two injuries, though grievous in nature, caused by a hard and blunt substance.



8. In light of the submissions made that petitioner Nos. 1, 2, and 3 are alleged to have been armed with swords, but no injury attributable to such weapon is found, and considering that the cause of dispute appears to be an exchange of money, let the petitioner Nos. 1, 2 & 3 namely, Amit Kumar, Rakesh Sah @ Rakesh Kumar and Sumit Kumar be released on anticipatory bail, in the event of arrest or surrender before the Trial Court 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 Additional Chief Judicial Magistrate- II, Siwan, in connection with Maharajganj P.S. Case No. 511 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

9. So far as the bail application of the petitioner No. 4, namely, Nitesh Sah @ Nitesh Kumar is concerned, his bail application is hereby rejected, as there is specific allegation against him.

**(Dr. Anshuman, J.)**

Aman Kumar/-

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