

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8154 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- SAHIYARA District- Sitamarhi

Sajjan Sah @ Sajjan Sah S/O Late Bindeshwar Sah @ Late Bindeshwari Sah
Resident of Village -Maudah, P.S. Sahiyara, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP
For the Informant : Ms. Priya Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2026 Heard Mr.Birendra Kumar, learned counsel for the

petitioner as also Ms. Priya Kumari, learned counsel for the

informant.

2. The petitioner is apprehending arrest in connection
with Sahiyara P.S. Case No. 203 of 2025 for the offence under
Section 126(2), 115(2), 117(2), 109(1), 352, 3(5) of the Bhartiya
Nyaya Sanhita, 2023 lodged on 12.11.2025 by the informant,
Ajay Sah.

3. As per the prosecution story, the informant alleged
that due to earlier dispute, the accused persons armed variously
came and after abuse, allegation of assault is there against them.
While Madan Lal Sah assaulted on the hand causing fracture,
Sant Lal Kumar gave blow on the head which actually hit the



nose and again it was injured. When son, Vivek Kumar came to rescue, this petitioner gave blow. They were shifted to Sadar Hospital, Sitmarhi and then to Indu Hospital, Sitamarhi which followed the FIR.

4. Learned counsel for the petitioner submits that so far as the this petitioner is concerned, allegation is of injuring Vivek Kumar and the injury has been found to be simple in nature.

5. In this case, the coordinate bench called for the case diary and paragraph-83 records the injury report of Vivek Kumar which has been shown to be simple in nature.

6. Learned counsel representing the informant on the other hand submits that so far as the assault on Ajay Sah (informant) by Sant Lal Kumar and Madan Sah are concerned, it has been recorded as grievous in nature as per paragraph-28 of the case diary.

7. Considering the submissions of the parties as also the fact that the injury inflicted by this petitioner has been found to be simple in nature and he do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event



of his arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sahiyara P.S. Case No. 203 of 2025 to the satisfaction of learned Judicial Magistrate-1st Class Sitamarhi subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioner shall be appearing before the police station as and when required for cooperating in the investigation;

(iii) the petitioner 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;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty



to take steps for cancellation of bail bonds;

(v) the petitioner 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;

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

(Rajiv Roy, J)

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