

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21637 of 2026

Arising Out of PS. Case No.-376 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Anjesh Sah @ Mukesh Sah Son of Ramjanam Sah Resident of village-
Laxmipur Ward no. 3, Ps- Muffasil, Dist- East Champaran
 2. Marachhi Devi @ Marachi Devi wife of Anjesh Sah @ Mukesh Sah
Resident of village- Laxmipur Ward no. 3, Ps- Muffasil, Dist- East
Champaran
 3. Dikhush Kumar @ Dikhush Kumar Son of Anjesh Sah @ Mukesh Sah
Resident of village- Laxmipur Ward no. 3, Ps- Muffasil, Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar, Adv.
For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-04-2026 Heard Mr. Kundan Rathore, learned counsel for the

petitioners, Mrs. Asha Kumari, learned APP and Mr. Rajesh

Kumar representing the informant.

2. The petitioners are apprehending their arrest in
connection with Muffasil P.S. Case No. 376 of 2025 for the
offence under sections 126(2), 115(2), 109(1), 118(1), 303(2),
352 and 3(5) of the BNS lodged on 16.06.2025 by the
informant, Mina Devi.

3. As per the prosecution story, the informant alleged
that the accused persons came to her house and started abusing



her. Upon objection, they assaulted and allegation against the petitioner no. 1, Anjesh Sah is of giving *axe* blow on the head. Dilkhush Kumar and Mirachhi Devi also assaulted her causing injury. This led to the FIR.

4. Learned counsel for the petitioners submit that a minor scuffle took place, allegation of assault is made but learned Sessions Judge record shows that the injury report was not available on record despite the concerned Court calling for it. The submission is that for an occurrence of 13.06.2025, the FIR was lodged on 16.06.2025 without any explanation. The last submission is that they do not have any criminal antecedent.

5. Learned APP as also learned counsel for the informant opposes the prayer submitting that the accused persons especially petitioner no. 1 assaulted the informant as per the FIR.

6. Taking into account the submissions of the parties as also the fact that has come on record and the petitioner do not have any criminal antecedent, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the



receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, East Champaran, Motihari/concerned Court in connection with Muffasil P.S. Case No. 376 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) 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;



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

(Rajiv Roy, J)

Adnan/-

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