

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26560 of 2026

Arising Out of PS. Case No.-676 Year-2025 Thana- HARSIDHI District- East Champaran

1. Ramnath Sah S/O Ramlal Sah R/O Village - Paithan Pathi, P.S- Harsidhi, Dist.- East Champaran
2. Chain Devi W/O Ramnath Sah R/O Village - Paithan Pathi, P.S- Harsidhi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 16-07-2026 Heard the learned counsel for the petitioners and the APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No. 676 of 2025, registered under Sections 115(2), 118(1), 109, 126(2), 351, 352 and 3(5) of B.N.S.

3. As per the prosecution story, which has been lodged on the basis of written report submitted by the informant to the effect that on the date of occurrence at around 7:30 P.M. while he was at his home, the petitioners herein along with two other accused persons came and started abusing the informant by using filthy language. When the informant protested and told them not to do so, the petitioner no. 1 stabbed him with a knife on his waist, due to which he sustained injuries. Further allegation is



that the petitioner no. 2 also assaulted the informant.

4. The learned counsel for the petitioners submits that the allegations leveled in the FIR are not true and the same are concocted. He submits that the date of occurrence is 30.09.2025 but the FIR has been lodged after a delay of about 5 days on 05.10.2025 and no explanation whatsoever has been given in the FIR with regard to the delay. He further submits that the doctor who had treated the injured kept his opinion reserved with regard to the injuries sustained by the informant and due to laches on the part of the Investigating Officer, the same has not been furnished. He further submits that the petitioners have got two criminal antecedents, however in one of the cases bearing Sessions Trial No. 2885 of 2025 arising out of Harsidhi P.S. Case No.517 of 2018, the petitioners have been acquitted and in the other case they are on bail.

5. *Per contra*, the learned APP for the State opposes the prayer for bail of the petitioners and submits that in the case diary, all the witnesses have supported the case and from the injury report, it would also appear that injuries have been caused by sharp point object.

6. Having Considered the rival submissions and after going through the records, it appears that there is no specific allegations of assault against the petitioner no. 2, however



specific allegation of assault with a knife is there against the petitioner no. 1. From perusal of the injury report, which is available on record with the case diary one injury in abdomen has been found by the treating doctor and as per his opinion the injuries have been caused by a sharp point object, however the opinion with regard to the injuries were kept reserved. There is a stab wound caused by a knife, and in the abdomen, which has been attributed to the petitioner no. 1, therefore this Court is not inclined to grant anticipatory bail to the petitioner no. 1. Accordingly, his prayer for anticipatory bail is rejected.

7. So far the petitioner no. 2 is concerned, there is no specific allegation of assault has been leveled against her. Considering the above, let the petitioner no. 2, in the event of her arrest or surrender before the learned Court below within a period of six weeks, be released on anticipatory bail in connection with Harsidhi P.S. Case No.676 of 2025, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran subject to the condition laid down under Section Section 482(2) of the B.N.S.S, 2023, and subject to the following conditions:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner no. 2 and in case at any



stage, it is found that the petitioner no. 2 has concealed her criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioner no. 2. 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.

(Ritesh Kumar, J)

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