

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25165 of 2026

Arising Out of PS. Case No.-327 Year-2025 Thana- PARSA District- Saran

1. Dhanayee Sah S/o Mishri Sah Resident of village - Bankerwa, P.S.- Parsa, Dist.- Saran
2. Vishal Kumar @ Vishal Kumar S/o Dhanayee Sah Resident of village - Bankerwa, P.S.- Parsa, Dist.- Saran
3. Vivek Kumar S/o Dhanayee Sah Resident of village - Bankerwa, P.S.- Parsa, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mili Kumari
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 At the outset, learned counsel for the petitioners prays
for withdrawal of the present application on behalf of petitioner
no. 1 in order to surrender and seeks regular bail.

2. Prayer is allowed.

3. If the petitioner no. 1 surrenders within a period of
four weeks from today and seeks regular bail, the same shall be
considered on its own merit without being prejudiced by the
present withdrawal.

4. Heard learned counsel for the petitioner nos. 2 and
3, learned counsel for the informant and learned Additional
Public Prosecutor for the State.

5. The petitioners are apprehending their arrest in a



case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2) and 3(5) of the B.N.S.

6. Petitioners are said to have assaulted the informant and his family members by means of lathi, danda and knife.

7. Learned counsel for the petitioners submits that there are general and omnibus allegation in the First Information Report with regard to assault by means of knife and lathi, danda etc. The injury report of the injured persons indicates that while some of the injured have received simple injuries, injuries on two of the sons of the informant, namely, Nilmani Kumar and Akash Kumar are grievous in nature. It is submitted that the petitioner nos. 2 and 3 cannot be said to be the author of the said injuries as the injuries are mostly sharp cut incised injuries and the allegation of carrying knife is not upon these petitioners. Further, the petitioners and the informant are gotiyas as their father petitioner no. 1 is the full brother of the informant and are also residing under the same roof and dispute had arisen on a very petty issue, as such, Section 109 would have no application in the said case.

8. Learned APP for the State and the informant have opposed the application for anticipatory bail on the ground of the allegations made and the injuries suffered.



9. Taking into consideration the facts and circumstances and also considering the fact that the petitioner nos. 2 and 3 are young members of the family and most of the injuries are said to be in the nature of sharp cutting and incised wounds which cannot be attributed to these petitioners, let the above named petitioners, who have no criminal antecedent, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parsa P.S. Case No. 327 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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