

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25256 of 2026

Arising Out of PS. Case No.-46 Year-2024 Thana- HATHUA District- Gopalganj

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1. Tuntun Sah son of Motichand Sah RESIDENT OF VILL- MACHHAGAR JAGDISH, PS- HATHUA, DISTT- GOPALGANJ
 2. Jamdar Sah son of Motichand Sah RESIDENT OF VILL- MACHHAGAR JAGDISH, PS- HATHUA, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Priya Raj, Adv. Mr. Partha Sarthy, Adv. Mr. Diwakar Pandey, Adv.
For the Opposite Party/s :		Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Hathua P.S. Case No. 46 of 2024 registered for the offence punishable under Sections-147, 148, 149, 326, 307, 302 of the Indian Penal Code.

3. As per prosecution case, in the backdrop of petty feud of parking motorcycle, the dispute arose and in consequence thereof, being annoyed from the informant, the co-accused Bullet Puri called the accused persons through phone who came with weapons and started assaulting the informant's husband, as a result of which, the informant's husband got down



on the ground and thereafter, acid was poured on the face of informant's husband which caused grievous injury to the informant's husband who was taken to hospital for treatment and later on, he succumbed to the injuries.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the case. They have no concern with the alleged occurrence. The specific allegation of overt act is against Bullet Puri with whom, there is case and counter case. The allegation against these petitioners is general and omnibus in nature. As per postmortem report, the external examination of the deceased is mentioned as:-Rigor mortis present in all four limbs, both eye closed. Mouth open and bleeding from right side, Right ear bleeding present, Lacerated wound of size-0.5 cmx 0.5 cm x skin deep on right ear, bruise of size 3 cm x 2 cm on right arm, lacerated wound of size 3 cm x 1 cm x skin deep on right hand, lacerated wound of size 4 cm x 1 cm x skin deep on right leg and left knee swelling of size -3 cm x 2 cm and dislocated. As per the external examination, no any acid injury was found on the deceased and the cause of the is head injury caused by impact of hard and blunt substance. It is next submitted that the other co-accused persons have already been extended the



privilege of anticipatory bail by co-ordinate bench of this court.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail of the petitioners.

6. Considering the fact that the cause of death of the deceased is head injury which is attracted to other co-accused persons and so far as petitioners are concerned, there is general and omnibus allegation against them coupled with the fact that the other co-accused persons have already been extended the privilege of anticipatory bail by co-ordinate bench of this court, let the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Gopalganj in connection with Hathua P.S. Case No. 46 of 2024 , subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be family member/relative/known of the petitioners who shall provide official document/personal affidavit to show his/hr bona fide;

(ii) The petitioners shall appear before the trial court



on each and every date fixed in the case and if, his failure to do so on two consecutive dates without plausible reason, will entail cancellation of their bail bonds by the Trial Court itself;

(iii) 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;

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

(Ajit Kumar, J)

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