

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23532 of 2026

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

Santlal Chaudhary @ Santlal Sah @ Santlal Kumar S/O Madan Sah R/O
Village- Maudah, P.S- Sahiyara, Distt.-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-06-2026 Heard learned Advocate for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner apprehends his arrest in connection with Sahiyara P.S. Case No.203 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 117(2) 109(1), 352 and 3(5) of the BNS.

3. Allegedly, on account of a previous dispute, the informant entered into an altercation with co-accused Madan Sah. Thereafter, the other accused persons allegedly arrived at the place of occurrence, abused the informant and assaulted him. It is specifically alleged that the present petitioner assaulted the informant with a brick over his head; however, the brick struck his nose, resulting in profuse bleeding. The injury sustained by the informant is stated to have been opined as



grievous in nature.

4. Learned Advocate for the petitioner submitted that the alleged occurrence took place at about 11:00 AM on 29.10.2025, but the *fardbeyan* of the informant was recorded on 02.11.2025 and the formal FIR came to be instituted on 12.11.2025, and as such, the exaggeration and false implication of the petitioner cannot be ruled out. It is further contended that even after the allegation is taken to be true, for the sake of argument, the means of assault is nothing but a brick and therefore the petitioner cannot be said to have acted with any premeditated criminal intent. The petitioner bears fair antecedent. It is also contended that the other co-accused persons have been allowed the privilege of anticipatory bail. To support the aforesaid contention, copies of the orders passed in Criminal Miscellaneous Nos. 9606 of 2026 and 13882 of 2026 have been placed on record as Annexures-2 and 3 to the bail application.

5. On the other hand, the learned Advocate for the State and the informant vehemently opposed the bail application and submitted that the injury which is sustained over the nose of the informant and duly attributed to the petitioner is found to be grievous in nature. The reason behind the delay in lodging the



case is that the petitioner was getting his treatment in the hospital and from where his *fardbyan* was recorded.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the genesis of the occurrence, coupled with the nature of the weapon allegedly used in the commission of the offence as also the fair antecedent of the petitioner and the fact that other co-accused persons have been extended the privilege of anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi in connection with Sahiyara P.S. Case No.203 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:-

(i) One of the bailors shall be the own/close family members of the petitioner.

(ii) If the petitioner is found involve in intimidating/ threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to



file appropriate application for cancellation of his bail bond(s).

(Harish Kumar, J)

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