

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28833 of 2026

Arising Out of PS. Case No.-109 Year-2026 Thana- MAJHAULIA District- West Champaran

1. Prince Kumar S/o Munna Sah R/o vill - Sariswa Bazar, ward no. 7, P.S.- Majhauriya, Distt.- West Champaran
2. Tunna Sah @ Tuna Shah S/o Madan Shah R/o vill - Sariswa Bazar, ward no. 7, P.S.- Majhauriya, Distt.- West Champaran
3. Vijay Sah @ Sanjay Shah S/o Madan Shah R/o vill - Sariswa Bazar, ward no. 7, P.S.- Majhauriya, Distt.- West Champaran
4. Indu Devi W/o Munna Shah R/o vill - Sariswa Bazar, ward no. 7, P.S.- Majhauriya, Distt.- West Champaran
5. Sushila Devi W/o Krishna Sah R/o vill - Sariswa Bazar, ward no. 7, P.S.- Majhauriya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Majhauriya P.S. Case No. 109 of 2026 registered for the offences under Sections 126(2), 115(2), 118(1), 303(2), 109, 76, 352, 351(2), 3(5) of B.N.S.



3. As per prosecution case, the petitioners and other co-accused persons armed with *lathi*, *iron rod* and *danda* assaulted the informant, her brother-in-law and her son causing injury to them. The occurrence took place in the background of land dispute.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The present case is counter blast of Majhauriya P.S. Case No. 110 of 2026 lodged by co-accused Krishna Sah, brother of petitioner nos. 2 and 3 against the informant and others for the offences under Sections 126(2), 115(2), 118(1), 303(2), 3(5) of B.N.S. There is no allegation of any specific overt act against petitioner nos. 1, 4 and 5 whereas the allegation against petitioner no. 3 is that he has assaulted Vijay Sah with iron rod. The injury report shows no external injury and complain of back pain. The injury report falsifies the allegation of assault by iron rod by petitioner no. 3. Further, the allegation petitioner no. 2 is that he has assaulted Vivek Kumar with lathi but the injury report of Vivek Kumar shows one abrasion in left side chin and complain of back pain. Moreover, the injuries upon the informant and others are stated to be simple in nature though no injury was found on the person of



the informant. So, it is apparent that there is case and counter case between the parties and both sides received minor and superficial injuries in the background of land dispute.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties in the background of land dispute and also considering the superficial nature of injury of the victims and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/concerned court in connection with Majhauliya P.S. Case No. 109 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. and other following conditions :

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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