

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30031 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- GHORASAHAN District- East Champaran

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1. Jiyalal Sah S/o Late Mishri Sah Resident of village - Shyam Bakhari, P.S.- Dhaka, Distt.- East Champaran
 2. Radha Sah @ Radhekrishan Kumar S/o Jiyalal Sah Resident of village - Shyam Bakhari, P.S.- Dhaka, Distt.- East Champaran
 3. Umesh Kumar S/o Harinarayan Sah R/o vill - Raghunathpur, P.S.- Chiraiya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-05-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Ghorasahan P.S. Case No. 28 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 74, 76, 303(2), 329(3), 352, 351(2), 3(5) of BNS.

3. The allegation against petitioners is to assault informant and others during the course of occurrence by using sharp edge weapon causing head and bodily injuries having intention to cause their death.



It is also alleged that the during occurrence some of the accused persons snatched sum of Rs. 8,000/- and the ornaments which belongs to the informant and his family members.

4. It is submitted by learned counsel appearing for petitioners that petitioner no. 1 and 2 specifically alleged to assault one Antima Kumari and Achchhelal Patel respectively by using sharp edge weapon like *farsa* and knife but upon medical examination no incised wound was found upon, rather upon Achchhelal Patel no visible injury was noticed, making the allegation doubtful on its face. It is submitted that upon medical examination the injury of both above-named injured were found simple in nature, negating intention to cause death. It is submitted that allegation of physical assault is not available against petitioner no. 3 rather he was implicated with ornamental allegation as to snatch cash from the informant. While concluding arguments, it is submitted that petitioners claimed clean antecedent.



5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as nature of injury as alleged to be caused by petitioners upon medical examination found simple in nature, negating *prima-facie* intention to cause death, accordingly all above-named three petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikarahan at Dakha, East Champaran /concerned Court, where the case is pending in connection with Ghorasahan P.S. Case No. 28 of 2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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