

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32168 of 2026

Arising Out of PS. Case No.-487 Year-2025 Thana- SUGAULI District- East Champaran

Dhandhan Kumar S/o Manjesh Kumar @ Manjesh Sah R/o Village -
Phulwariya, P.S - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Tanuja Kumari Mishra, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Sugauli P.S. Case No. 487 of 2025 lodged on 16.09.2025, for the offence punishable under Sections 115(2), 118(1), 127(1), 109, 303(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against four named accused persons including the present petitioner. It has been alleged that when the informant and his son were sitting in the shop, then the accused persons armed with weapons came and took away two wheels of motorcycle and four buckets from the shop. It has also been alleged that the petitioner has assaulted the informant by iron rod on his head



two times, due to which he badly injured and fell down. When the informant's son came to rescue his father, then one of the accused person fired upon the informant's son, but somehow he was saved.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that entire family members have been made accused in this case and the actual dispute is otherwise, as the informant used to mix petrol which was opposed by the petitioner. Counsel submits that the injury report is attached and from the injury report, it is clear that the injury is simple in nature. Counsel also submits that for the same date and place of occurrence, there are case and counter case from both the sides i.e. one case has been lodged from the petitioner's side bearing Sugauli P.S. Case No. 490 of 2025 and the present case has been lodged from the informant's side bearing Sugauli P.S. Case No. 487 of 2025. Counsel further submits that one of the accused person has been granted regular bail by the Co-ordinate Bench of this Court *vide* Annexure-P/5. Counsel submits that the present case is admittedly a false case which shall be apparent from the allegation made in the counter case.

5. Learned APP for the State opposes the prayer for



bail of the petitioner but submits that the informant and the petitioner, both are well known to each other and there are case and counter case from both the sides.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Judicial Magistrate 1st Class, East Champaran, Motihari, in connection with Sugauli P.S. Case No. 487 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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