

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35750 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- BARAULI District- Gopalganj

Amarnath Kumar @ Amarnath Sah Son of Mewalal Sah Resident of
Mohammadpur Old Market, P.S.- Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s :	Mr. Satya Nand Shukla, APP
:	Mr. Sanjay Kumar Pandey No.5, Advocate

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 25-05-2026 Heard the learned counsel for the petitioner, the

learned counsel for the informant and the learned APP for the

State.

2. The petitioner apprehends his arrest in
connection with Barauli P.S. Case No. 11 of 2026, for allegedly
having committed offence under Sections 126(2), 115(2), 109
and 3(5) of the BNS.

3. As per the prosecution story, which has been
lodged on the basis of the written report submitted by the
informant to the effect that on the date of occurrence, while the
informant was at his doorstep, the petitioner along with co-
accused Mewalal Sah, who is also his father, came at the
doorstep of the informant and started assaulting him and his



sons, namely, Braj Kishore Sah and Virendra Sah with lathi and danda. Due to assault, the son of the informant, namely, Virendra Sah sustained injuries and was referred to Barauli Hospital and from there referred to the Gorakhpur for further treatment.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that allegations are general and omnibus and no specific overt act has been attributed exclusively on the petitioner. He further submits that the implication of the petitioner is based solely on the version of the informant and interested witnesses. There is no independent witness to the occurrence. The learned counsel for the petitioner further submits that the petitioner and the informant are of the same village and due to previous dispute, the present occurrence is said to have taken place. The petitioner is an accused in one another case.

5. Per contra, the learned counsel appearing on the behalf of the informant submits that the injuries suffered by the son of the informant have been found to be grievous in nature by the treating doctor and the father of the informant, who is also an accused, had filed regular bail petition before this



Hon'ble Court, which has been numbered as Cr. Misc. No. 30565 of 2026. In the said case, vide order 05.05.2026, case diary has been called for.

6. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

7. Having heard the rival submissions and after going through the records, it appears that the petitioner and his father brutally assaulted the informant and his two sons. Due to assault, one of the sons of the informant suffered head injuries and the doctor has opined the injuries to be grievous in nature. Further, the father of the petitioner has filed a regular bail petition in which, case diary has been called for. Considering the nature of allegation and seriousness of the injuries sustained by the one of the son of the informant, this Court is not inclined to grant the privilege of anticipatory to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Ritesh Kumar, J)

Ajay/-
Rakesh/-

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