

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35550 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- Patarghat District- Saharsa

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1. Sanni Kumar @ Sanni Kumar Sah S/o Munna Sah R/o Village - Dhabouli, Dakshini Ward No. 01, P.S - Patarghat, District - Saharsa
 2. Nitish Kumar @ Neetish Kumar @ Neeteesh Kumar S/o Munna Sah R/o Village - Dhabouli, Dakshini Ward No. 01, P.S - Patarghat, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr.,Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Patarghat P.S. Case No. 36 of 2026 registered for the offences punishable under sections 115(2), 126(2), 109, 303(2), 351(2), 352 and 3(5) of the B.N.S., 2023.

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 alleged date of occurrence while he along with his younger brother was watching cricket match, the petitioners and other co-accused persons tried to snatch the Android mobile from Sanoj Kumar, but did not succeed.



Thereafter, all the accused persons started abusing and assaulting him with fist. It is further alleged that the informant along with his brother proceeded towards their home on a motorcycle. The accused persons overtook the motorcycle of the informant and again started abusing and assaulting them. When the sister and aunt of the informant came there to save them, co-accused Neha Kumari, Dezy Devi and Babli Devi assaulted the aunt and sister of the informant.

4. The learned counsel for the petitioner submits that petitioners are innocent. As a matter of fact, an altercation took place in between the parties for which the father of the petitioner had also lodged a counter case bearing Patarghat P.S. Case No. 42 of 2026 against the informant and others under different sections of the B.N.S. Further, the specific allegation of assault on the head of the informant is against petitioner no. 1. So far petitioner no. 2 is concerned, he assaulted Sanoj Kumar (informant's brother) by three-nut. However, injuries sustained by the informant and his brother and other family members have been found to be simple in nature by the doctor. The petitioners are also accused in one case bearing Saur Bazaar P.S. Case No. 139 of 2018, in which they are on bail.

5. *Per contra*, the learned A.P.P. for the State opposes



the prayer for bail of the petitioners and submits that they had assaulted the informant and his family members.

6. Having heard the learned counsel for the parties and after going through the records, it appears that there was an altercation in between the parties for which there is case and counter case. Moreover, from perusal of the injury report vide AnnexureP/2 annexed with the anticipatory bail petition, it would transpire that the injury sustained by the injured persons have been found to be simple in nature by the doctor. Considering the same, let the above named petitioners, in the event of arrest/surrender within a period of six weeks, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Patarghat P.S. Case No. 36 of 2026, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 with further condition:

(i) The trial court shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take step for cancellation of bail bonds of the



petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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