

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36566 of 2026

Arising Out of PS. Case No.-555 Year-2025 Thana- MURLIGANJ District- Madhepura

1. Kameshwar Sah S/o Yogendra Sah R/o Village - Dharhara, Ward No. 03, P.S. -Murliganj, District - Madhepura.
2. Shankar Sah S/o Late SobhiSah @ Late Shomi Sah R/o Village - Dharhara, Ward No. 03, P.S. -Murliganj, District - Madhepura.
3. Dilkhush Sah @ Dilkush Kumar S/o Kameshwar Sah R/o Village - Dharhara, Ward No. 03, P.S. -Murliganj, District - Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Pawan Kumar, Advocate
For the Opposite Party/s :	Mr.Nitya Nand Tiwary, APP
For the Informant :	Mr.Surya Narayan Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw bail application with regard to petitioner no. 2 namely, Shankar Sah.

3. Request allowed.

4. Accordingly, prayer of anticipatory bail stands dismissed as withdrawn only *qua* petitioner no. 2 namely, Shankar Sah.

5. Now, this petition for anticipatory bail survives



only with regard to petitioner nos. 1 and 3 namely, Kameshwar Sah and Dilkhush Sah @ Dilkush Kumar.

6. The both above-named accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Murliganj P.S. Case No. 555 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 352, 109, 351(2), 351(3), 326(f), 303(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

7. As per FIR, accused persons alongwith petitioners alleged to open fire upon the informant during course of occurrence and also assaulted the informant and others.

8. Learned counsel appearing on behalf of the petitioners submitted that the allegation against the petitioner nos. 1 and 3 is very much general and omnibus in nature. It is pointed out that just to aggravate the allegation, petitioner no. 1 was alleged to put the house of the informant on fire, but through FIR itself, it has been stated that soon after the occurrence, it was controlled by the neighbours.



9. It is submitted that petitioner no. 3 is facing general and omnibus allegation and implication of petitioner nos. 1 and 3 are only for the reason that they are relative/family members of petitioner no.2 and one Vinod Kumar, who specifically alleged to cause fire-arm injury upon the mother of the informant hitting to her knee. Both petitioners claimed clean antecedent.

10. Learned A.P.P. for the State is present.

11. Mr. Surya Narayan Yadav, learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioners, could not disputed the aforesaid submission as advanced by the learned counsel for the petitioners.

12. In view of the aforesaid factual submissions and by taking note of the fact as both petitioners appears implicated *prima facie* with the present crime in question with very much general and omnibus allegation as they are the immediate family members of the co-accused Vinod Kumar, who alleged to open fire upon the mother of the informant, accordingly, above-named petitioner nos. 1 and 3, who are the men of clean antecedent, in the event of their



arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura/concerned court in connection with Murliganj P.S. Case No. 555 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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