

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38875 of 2026**

Arising Out of P.S. Case No.-28, Year-2026, Thana- ALAMNAGAR, District-
Madhepura

Bindeshwari Sah, Son of Late Hari Sah, R/o- Basanwara, Naugachiya Basa, Ward
No. 05, Police Station -Alamnagar and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 17-06-2026 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Alamnagar P.S. Case No. 28 of 2026 registered for the offence(s) under Section(s) 126(2), 115(2), 117(2), 118(1), 74, 303(2), 109(1), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the allegation against the petitioner is that he along with other named accused persons had assaulted the husband of the informant. It is further alleged that when she tried to intervene, even she was assaulted and the other named accused persons tried to outrage her modesty.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated with general and omnibus allegation. It has further been submitted that no such incident has occurred and such fact can be ascertained from the fact that no injury report has been brought on the record and the



said fact has also been referred to the impugned order. It has next been submitted that the present case is a counter blast to the previous case lodged on behalf of the petitioner side i.e. Alamnagar P.S. Case No. 27 of 2026. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Alamnagar P.S. Case No. 28 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be



his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

sweta/-

(Sourendra Pandey, J)

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