

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44244 of 2026

Arising Out of PS. Case No.-169 Year-2025 Thana- Manuapul District- West Champaran

1. Rameshwar Prasad Sah @ Rameshwar Sah S/O Late Ramchandra Sah R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
2. Baccha Sah @ Krishana Prasad S/O Late Ramchandra Sah R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
3. Nitesh Kumar Gupta @ Raja Sah @ Raja Kumar S/O Baccha Sah @ Krishana Prasad R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
4. Ramji Kumar Sah @ Ramji Sah @ Ajeet Kumar S/O Rameshwar Prasad Sah R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
5. Bholu Prasad @ Bholu Sah @ Indra Kant Kumar S/O Ashutosh Prasad R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
6. Aditya Kumar Gupta @ Aditya Sah S/O Rameshwar Prasad R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.
7. Rana Sah @ Rohit Kumar S/O Late Madho Sah R/O Village- Heerapakad, P.S.- Manupapool, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Manuapul P.S. Case No.169 of 2025 registered for the offences under Sections 190, 191(2), 74, 191(3), 126(2), 115(2), 118(1), 109(1), 303(2), 308(2), 308(3), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023.



3. The allegation against the petitioners is that they in connivance and all variously armed, brutally assaulted the informant's side and injured them.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated with general and omnibus allegations. It has further been submitted that even if the allegations are taken into account, the injuries sustained by the informant's side were found to be simple in nature and in fact, for the same incident, there was a counter case lodged on behalf of the petitioners' side, and from perusal of the injury report, brought on record by way of Annexure-3, it would be evident that petitioner no. 3, namely, Nitesh Kumar Gupta @ Raja Sah @ Raja Kumar and petitioner no. 7, namely, Rana Sah @ Rohit Kumar, were also injured, whose injuries were caused by the informant and his family members. It has next been submitted that it is on account of the fact that there is a dispute between the two families, who are admittedly neighbours, this case, on a concocted story, has been lodged. It has lastly been submitted that petitioner no. 1 has two criminal antecedents, petitioner no. 2 has five criminal antecedents, petitioner no. 3 has one criminal antecedent, and petitioner no. 6 has one criminal antecedent. It has also been submitted that petitioner



nos. 4, 5, and 7 have clean antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Manuapul P.S. Case No.169 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.



(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(vi) In view of the antecedent of the petitioners, the petitioners are directed to appear before the Superintendent of Police, West Champaran within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the courts concerned.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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