

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61140 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- AURAI District- Muzaffarpur

1. Vijay Kumar Sah S/o Ram Dayal Sah R/o Village- Beshi, PS- Aurai, District- Muzaffarpur
2. Golu Kumar S/o Uday Shankar Sah R/o Village- Beshi, PS- Aurai, District- Muzaffarpur
3. Keshav Kumar S/o Vijay Kumar Sah R/o Village- Beshi, PS- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 20-02-2026 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Aurai Police Station Case No. 215 of 2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 352, 351(2) of Bharatiya Nyaya Sanhita.

3. The prosecution case, as per the First Information Report, is that on 06.10.2024, at about 07:00 to 08:00 am, in the morning, the petitioners along with other accused persons i.e., total six in numbers, arrived at the door of the informant along with lethal weapons and started abusing them. It has further been alleged that accused persons assaulted the informant and



his family members.

4. Learned counsel for the petitioners submits that the petitioners and the informant's side are agnates and that there exists a long-standing land dispute between the parties. The present case is a counterblast of Aurai P.S. Case No. 216 of 2024 instituted by the petitioners' side against the informant and others. Referring to the statement of the injured witness, Chandrashekhar Sah, learned counsel submits that he has specifically stated that Avinash Kumar was assaulted by Ram Dayal Sah and not by the present petitioners. Learned counsel further submits that although Avinash Kumar has sustained injury on his wrist and Chandrashekhar Sah has sustained a grievous injury on his head, the allegations made against the petitioners are general and omnibus in nature without any specific attribution of overt act.

5. Learned counsel appearing on behalf of the informant has opposed the prayer for bail and submits that all the accused persons, including the present petitioners, actively participated in the assault upon the informant and his family members, as a result of which Chandrashekhar Sah sustained grievous injury and Avinash Kumar suffered a serious injury on his wrist.



6. Regards being had to the submissions made by the parties and taking into consideration the fact that both the parties are agnates, having longstanding land dispute, case and counter case is there, I am inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 Judicial Magistrate, 1st Class (East), Muzaffarpur, in connection with Aurai Police Station Case No. 215 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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