

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44773 of 2026

Arising Out of PS. Case No.-57 Year-2026 Thana- Bhawanipur District- Bhagalpur

1. Manoj Sah S/o Late Mahendra Sah R/o Village - Mathuarapur, P.S - Bhawanipur, District - Bhagalpur
2. Rohit Kumar S/o Manoj Sah R/o Village - Mathuarapur, P.S - Bhawanipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioners and the
APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bhawanipur P.S. Case no. 57 of 2026, registered under Sections 126(2), 115(2), 74, 109, 303(2), 352, 3(5) of B.N.S.

3. As per the prosecution story which has been lodged on the basis of written report submitted by the informant to the effect that on date of occurrence when she was sitting at her grocery shop, the petitioners along with other co-accused persons came with iron rods, knife and scissors and started using filthy language against the informant. When the informant



asked them not to do so, the petitioner no. 1 with an intention to kill the informant assaulted on her head with the scissor, while the petitioner no. 2 assaulted the informant with an iron rod on her head and other parts of the body. She was taken to Government Hospital at Narayanpur and was further referred to Jawaharlal Nehru Medical College Hospital, Bhagalpur. It has further been alleged that when her husband tried to save her, he was also assaulted by the accused persons and the son of the informant was also assaulted. It has further been alleged that the petitioner no.2 also took out Rs. 20,000/- from the cash box and also tried to outrage the modesty of the daughter of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence. He submits that the allegations leveled in the FIR are entirely false. He submits that on the date of occurrence the petitioners and their entire family members were brutally assaulted by the informant side, for which the petitioner no. 1 lodged Bhawanipur P.S. Case No. 55 of 2026 under different sections of the I.P.C. The present case is a counterblast of the said case. He further submits that so far the injuries are concerned, the same have been found to be simple in nature, except one injury on the



nose of the informant, that has been found to be grievous in nature. He further submits that the petitioners have got a clean antecedent.

5. *Per contra* the learned APP for the State opposes the prayer for bail of the petitioners and submits that one of the injuries on the nose of the informant has been found to be grievous in nature by the treating doctor, therefore the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the rival submissions and after going through the records it appears that there was a free fight in between the parties, for which case and counter case was lodged. The petitioner no. 1 lodged Bhawanipur P.S. Case No. 55 of 2026 and the present case is a counter blast of the said case. It further appears from the impugned order passed by the Principal District & Sessions Judge, Bhagalpur in A.B.P. No. 114 of 2026 that the injuries sustained by the injured were found to be simple in nature, except one injury on the nose of the informant, which was found to be grievous in nature. Considering the above, let the petitioners, above named in the event of their arrest or surrender before the learned Court below within a period of six weeks, be released on anticipatory bail in connection with Bhawanipur P.S. Case no. 57 of 2026, on each



of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Naugachia, subject to the condition laid down under Section Section 482(2) of the B.N.S.S, 2023, and subject to the following conditions:-

(I) That the learned court concerned 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 concerned 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.

(Ritesh Kumar, J)

shital/-

U		T	
---	--	---	--

