

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51418 of 2026

Arising Out of PS. Case No.-297 Year-2026 Thana- MIRGANJ District- Gopalganj

1. Subash Sah @ Subash Prasad S/o Late Gudari Sah Resident of Village-
Hathua Mor, P.S.- Mirganj, Dist.- Gopalganj
2. Yuvraj Kumar S/o Janak Sah Resident of Village- Manikpur, P.S.- Mirganj,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-07-2026 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection
with Mirganj P.S. Case No. 297 of 2026 lodged on 01.06.2026,
for the offences punishable under sections 126(2), 115(2),
117(2), 109, 303(2), 351(2), 352 and 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. As per the prosecution, the FIR has been lodged
against five named and nine unknown accused persons. It is
alleged that when the informant objected to the accused persons
making a hole in the wall, the petitioners assaulted the
informant, causing injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that the petitioners have clean antecedents. There is a case and counter-case arising out of the same date and place of occurrence. The petitioners are businessmen running their respective shops near the informant's V-Bazar Mall. The allegation that the petitioners were making a hole in the wall of the informant's premises is stated to be wholly false and fabricated.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the FIR contains specific allegations against the petitioners, and their respective roles have been clearly attributed. It is further submitted that although the petitioners have taken the oral defence that the mall had been leased to another person, they have failed to produce any documentary evidence in support of the said contention. It is also submitted that it is true that a criminal case has been lodged from the petitioners' side, whereas the present case instituted by the informant, namely Mirganj P.S. Case No. 304 of 2026, was lodged one day thereafter.

6. Learned APP for the State also vehemently opposes the prayer for bail, submitting that specific allegations have



been made against the petitioners and that there exists a case and counter-case between the parties.

7. In this background, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail of the petitioners in connection with Mirganj P.S. Case No. 297 of 2026, pending before the learned CJM, Gopalganj is hereby rejected.

(Dr. Anshuman, J)

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