IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57655 of 2026

CNR No. BRHC010832442026

Arising Out of PS. Case No.-93 Year-2026 Thana- SHIKARGANJ District- East Champaran

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1. Mantosh Sah @ Rantosh Sah Son of Shankar Sah Resident of Village- Chamahi, P.S.- Shikarganj, Disrtrict- East Champaran
2. Mithun Sah @ Mithun Kumar Son of Ranjan Sah Resident of Village- Ramchandra Dhaka, P.S.- Dhaka, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 58198 of 2026

CNR No. BRHC010832442026

Arising Out of PS. Case No.-93 Year-2026 Thana- SHIKARGANJ District- East Champaran

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1. Shankar Sah S/O Late Khena Sah Resident of Vill.- Chamahi, P.s.- Shikarganj, Dist.- East Champaran.
2. Kanchan Sah @ Kanchan Kumar S/O Late Jaimangal Sah @ Jay Mangal Sah R/O Vill.- Ramchandra Dhaka, P.s.- Dhaka, Dist.- East Champaran.
3. Ranjan Sah S/O Late Jaimangal Sah @ Jay Mangal Sah R/O Vill.- Ramchandra Dhaka, P.s.- Dhaka, Dist.- East Champaran.
4. Sudhir Sah S/O Late Jaimangal Sah @ Jay Mangal Sah R/O Vill.- Ramchandra Dhaka, P.s.- Dhaka, Dist.- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 57655 of 2026)
For the Petitioner/s : Ms.Shifa Khan, Advocate
: Mr.Ajay Kr. Singh, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP
(In CRIMINAL MISCELLANEOUS No. 58198 of 2026)
For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

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ORAL ORDER

3 04-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 190 and allied sections of B.N.S.S. 2023.

3. The case of the prosecution, in short, is that altogether 10 named accused persons and 3-4 unknown miscreants arrived. They were armed with lathi, danda, knife, Bhala and farsa. It is alleged that all accused persons assaulted the father-in-law of the informant. It is further alleged that when the husband of the informant came to rescue, he was assaulted by accused Ranjan, Mithun and Pran. It is also alleged that accused Ranjan and Santosh assaulted indiscriminately on his body and face. Lastly, it is alleged that petitioners namely Mantosh and Mithun Sah caught the both arms of the informant’s husband and Santosh Sah stabbed with a knife in the chest of the informant’s husband who succumbed to injuries.

4. Learned counsel for the petitioners has submitted that from perusal of F.I.R., it will transpire that as far as allegation regarding assault to the father-in-law of the informant is concerned, the same is general and omnibus. The allegation regarding assaulting the husband of the informant is specifically

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on Santosh Sah. There is allegation that petitioners namely Mantosh and Mithun Sah caught hold of both the arms of the deceased whereupon accused Santosh Sah has stabbed him with knife. Learned counsel for the petitioner has further submitted that main thrust of allegation is against accused Santosh Sah. Learned counsel for the petitioner has next submitted that petitioner no. 3 has died in jail, as such, his bail petition has become infructuous. As far as other petitioners are concerned, they are having the allegation of only assaulting the father-in-law of the informant. Lastly, it is submitted that the petitioners are in custody since 24.05.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. From perusal of the post-mortem report, it transpires that the deceased has received ante-mortem injuries; incised wound on the left side of the chest of 2 inch x 1 inch cavity, bruise over left side forehead of size 3 inch x 2 inch and abrasion over right side forehead of size 2 inch linear. Doctors have opined that cause of death is haemorrhagic and cardiogenic shock.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is

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inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Shikarganj P.S. Case No. 93 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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