

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69759 of 2025

Arising Out of PS. Case No.-350 Year-2013 Thana- MAJHAULIA District- West Champaran

Brij Mohan Sah @ Braj Kishor Sah S/o Late Bhairo Sah R/o Village- Ojha
Mathiya, P.S.- Majhauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Majhauliya P.S. Case No. 350 of 2013 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 325, 307, 379, 427, 436, 504 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons set on fire the house of the informant and two other persons, causing huge loss of the property.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Altogether 15 persons have been made accused but there is no specific allegation against the petitioner. There is land



dispute between the parties and this fact is admitted in the FIR itself. For the occurrence of the same date, Majhauriya P.S. Case No. 353 of 2013 was lodged under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the IPC by the petitioner's side in which one Charda Kishore Sah was seriously injured and in order to create a defence, the informant has filed the present case. The house of the informant was burnt accidentally or he himself set it on fire as there was very feeble chance of survival of Chandra Kishore Sah and the informant had been fearing getting arrested in the said case. The informant is not an eye witness as claimed. Further, similarly situated co-accused Mukesh Sah has been granted bail by a Co-ordinate Bench vide order dated 31.01.2024 passed in Criminal Misc. No. 3264 of 2024. Other co-accused persons have also been granted bail by the different Co-ordinate Benches vide order dated 08.01.2024 passed in Criminal Misc. No. 84745 of 2023, order dated 27.08.2025 passed in Criminal Misc. No. 57230 of 2025. Learned counsel further submits that one of the co-accused persons, namely Dhurendra Sah @ Dhurendar Sah has been granted bail by this Court vide order dated 18.06.2025 passed in Criminal Misc. No. 37733 of 2025. The petitioner is in custody since 19.08.2025. Charge-sheet has been submitted in this case



on 05.08.2023 and now the charges have been framed against the petitioner. Learned counsel further submits that though the petitioner was in custody in some other case, he was not taken on remand in the present case. The petitioner is having antecedent of seven cases and is on bail in all such cases.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons that they set on fire the house of the informant and two other persons, causing massive loss to the victims.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case of the parties and further considering the period of custody of the petitioner and framing of charge against him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, District-West Champaran/court concerned in connection with Majhauriya P.S. Case No. 350 of 2013, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

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

(Arun Kumar Jha, J)

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