

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76237 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- BAIRIYA District- West Champaran

1. Manejar Sah Son of Late Shivshankar Sah @ Late Seho Shankar Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
2. Ritish Kumar @ Gaurav Kumar Son of Manajer Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
3. Harendra Sah @ Harindra Sah Son of Late Shivshankar Sah @ Late Seho Shankar Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
4. Vikash Kumar Son of Harendra Sah @ Harindra Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
5. Lakshmina Devi @ Laxmina Devi Wife of Shivshankar Sah @ Late Sheo Shankar Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
6. Anjali Kumar @ Anjali Kumari D/o Harendra Sah @ Harindra Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
7. Indu Devi Wife of Harendra Sah @ Harindra Sah R/o Village - Tadhvananpur Dihi, Ward no. 04, P.S. - Bairiya, Dist. - West Champaran.
8. Kamakshya Sah @ Amchchaya Sah Son of Late Bhikhari Sah R/o Village - Hira Pakad, P.S. - Muffasil, Dist. - West Champaran.
9. Jitendra Sah Son of Kmchhya Sah @ Kamakshya Sah R/o Village - Hira Pakad, P.S. - Muffasil, Dist. - West Champaran.
10. Rita Devi Wife of Gobari Sah R/o Village – Nanya (Noneya) Pandey Tola, P.S. - Paharpur, Dist. - Motihari.
11. Gobari Sah Son of Late Jhagaru Sah @ Late Jhgadu Sah R/o Village – Nanya (Noneya) Pandey Tola, P.S. - Paharpur, Dist. - Motihari.

... .. 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. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.



2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 3, namely, Harendra Sah @ Harindra Sah who was arrested during pendency of the same.

3. Permission is accorded.

4. Accordingly, the anticipatory bail application with respect to petitioner no. 3 is dismissed as withdrawn.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 324(4), 352, 351(2) and 3(5) of the BNS.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioners no. 5, 6, 7 and 10 are women and the informant alleges that during Panchayati with regard to dispute relating to land, accused Manejar Sah (petitioner no. 1) assaulted him by farsa causing injury on his hand thereafter Ritish Kumar (petitioner no. 2) and Harendra Sah assaulted him by lathi and danda while Vikash Kumar (petitioner no. 4) assaulted Anil Kumar, the son of the informant by Bhala causing injury on right leg. Further, Jitendra Sah (petitioner no. 9) assaulted Sunil Kumar by lathi on head and left leg while Rita Devi (petitioner no. 10) and Gobari Sah



(petitioner no. 11) assaulted Nitesh Kumar by danda on leg and chest while Indu Devi (petitioner no. 7) snatched chain of Sunil Kumar.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that with regard to a dispute relating to land Panchayati was going on. It is next submitted that in the Panchayati, an altercation took place in which both sides assaulted each other. It is also submitted that the injury suffered by the informant and Sunil Kumar has been opined to be simple in nature and opinion with regard to the injury suffered by Anil Kumar has been reserved but then the allegation of assaulting Anil Kumar is against Vikash Kumar who is a young boy aged about 21 years. It is submitted that even presuming what has been alleged to be true without admitting then Vikash Kumar is alleged to have assaulted Anil Kumar on leg which is not a vital part of the body. It is further submitted that the blow was not repeated and petitioners are not criminals. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.



8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

9. Considering the submissions made by the learned counsel for the petitioners no. 1, 2 and 4 to 11, let the petitioners no. 1, 2 and 4 to 11, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Bairiya P.S. Case No. 259 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Satyavrat Verma, J)

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