

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79046 of 2025

Arising Out of PS. Case No.-486 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Pankaj Sah S/O Sikander Sah R/o village - Kahra, ward no.- 24/42, P.S and
Dist.- Saharsa. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

For the Informant : Mr. Janinendra Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest for the offences
punishable under Sections 147, 149, 341, 323, 324, 325, 307, 354,
379, 504 and 506 of the Indian Penal Code.

3. The allegation in the first information report is that
all the accused persons including the petitioner entered into the
house of the informant and indulged in abuses and assault.

4. Learned counsel for the petitioner submits that the
allegation is not specific upon the petitioner to have caused injury
by means of butt of the pistol on the head of the informant's
husband. However, the injury report would show the injuries
simple in nature caused therefrom. It is further submitted that
both the parties are agnates having land related dispute and
further there is delay of two days in lodging the F.I.R.

5. Learned counsel for the informant opposed the bail
petition on the ground that the informant's husband had



subsequently died.

6. From perusal of the case diary, it would appear that the husband of the informant died on account of some disease and, as a matter of fact, the chargesheet has been submitted on 19.12.2025 under Section 307 and other allied sections of the Indian Penal Code and not under Section 302 of the IPC.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that the injury attributable to the petitioner is simple in nature coupled with the fact that there is case and counter case on account of land dispute, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/ successor Court in connection with Saharsa Sadar P.S. Case No.486 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) of the B.N.S.S.

(Soni Shrivastava, J)

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