

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86711 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- BAHERI District- Darbhanga

Mishra Sah @ Deepak Sah, S/O Ishki Sah @ Isaki Sah, R/O Village- Havidih,
P.S.- Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr. Baidyanath Prasad, learned counsel for the

petitioner and Mr. Shyam Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Baheri P.S. Case No. 166 of 2025, F.I.R. dated 04.05.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 110, 303(2), 351(2), 352, 3(5) of the BNS.

3. According to prosecution case, all the accused persons along with three unknown persons armed with weapons assaulted the father-in-law of the informant while he was returning home through disputed single pathway. It is alleged that the petitioner assaulted her father-in-law on his head with iron rod causing him head injury.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has been falsely implicated in the present case. The allegation as alleged in the in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R, that due to land dispute alleged occurrence took place and the present case is a counter blast of the Baheri P.S. Case No. 163 of 2025 although the injury report suggests injury of one Dukhi Mukhiya is simple in nature caused by hard and blunt substance.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that petitioner has clean antecedent and there is case and counter case between the parties, injury inflicted upon injured person is simple in nature, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Darbhanga in connection with Baheri P.S. Case No. 166 of 2025, subject to the conditions as laid down under Section 482(2) of the Code of Criminal Procedure



and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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