

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86166 of 2025

Arising Out of PS. Case No.-421 Year-2025 Thana- RAMNAGAR District- West Champaran

1. Sunil Sah son of Becha Sah Resident of Vill- Manguraha, P.S.- Ramnagar, Dist- West Champaran
2. Nayan Sah son of Late Jhagru Sah Resident of Vill- Manguraha, P.S.- Ramnagar, Dist- West Champaran
3. Bachcha Sah son of Late Jhagru Sah Resident of Vill- Manguraha, P.S.- Ramnagar, Dist- West Champaran
4. Ishwari Sah Son of Nayan Sah Resident of Vill- Manguraha, P.S.- Ramnagar, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Miss. X Daughter of Vijay Sah Resident of Vill- Manguraha, P.S.- Ramnagar, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Suresh Prasad Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-01-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323(4), 126(2), 115(2), 118(1), 352, 351(2) and 76 of the BNS read with Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case, but then the said case was also instituted from the side of the informant and the informant alleges that in absence of her family members, Jay



Prakash entered her house and started acting inappropriately, on alarm her sister came from outside and they tried to lock Jay Prakash in the house, on which Jay Prakash raised an alarm, when accused persons including the petitioners came and freed Jay Prakash and abused her, further when her mother, father and brother came, the accused assaulted them and Ishwari assaulted her father by hand pipe causing injury on head.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that from side of the petitioners Ramnagar P.S. Case No. 471 of 2025 and Ramnagar P.S. Case No. 379 of 2025 have been instituted against the side of the informant and others. It is next submitted that as far as allegation of assault is alleged, the same is general and omnibus in nature except that Ishwari is alleged to have assaulted the father of the informant by hand pipe causing injury on head, but then it is submitted that the case was not instituted under Section 109 BNS rather was instituted under sections of the BNS which carry punishment of seven years and less and Jay Prakash is not a petitioner in the instant anticipatory bail application.

5. Learned A.P.P. for the State as well as the learned



counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the antecedent which they carry was instituted from the side of the informant and the case has not been instituted under Section 109 of BNS.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners 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 Ramnagar P.S. Case No. 421 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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