

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87416 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- MOHANPUR District- Jamui

-
1. Shivshankar Sah S/o Nunulal Sah R/o Village - Mangrar, Tola Tetariya,P.S - Mohanpur, District - Jamui
 2. Mukesh Sah S/o Late Nunulal Sah R/o Village - Mangrar, Tola Tetariya,P.S - Mohanpur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Adv

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Mohanpur P.S. Case No. 32 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 117(2), 352, 351, 109, 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that on 26.03.2025, at approximately 5:30 p.m., when certain quarrel took place between the family members of the informant and the petitioners during the partition of household goods after the death of the informant's mother about 15 days earlier. It is further alleged that during this quarrel, when the informant



objected, the petitioners along with others started beating him with sticks and rods. While beating him, they broke his both hands and also injured his head. Observing the serious condition of the informant, his wife took him to the nearby hospital in Laxmipur, where the doctor, seeing the severity, referred him to Jamui Sadar Hospital.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in the present case due to family dispute. There is no specific allegation attributing any particular overt act to the petitioners. He further submits that the petitioners have one criminal antecedent.

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

6. From the reading of the FIR, it transpires that the allegations levelled against the petitioners are of general and omnibus in nature. No specific allegation of assault has been levelled against the petitioners. It is also pertinent to note that the informant and these two petitioners are own brothers and dispute seems to have been occurred on account of distribution of property pursuant to death of their mother. Under these circumstances, this Court is inclined to grant privilege of



anticipatory bail to the petitioners.

7. Let the petitioners, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Mohanpur P.S. Case No. 32 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioners shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

kiran/-

U		T	
---	--	---	--

