

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88491 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- SONBERSHA RAJ District- Saharsa

Akal Sah @ Akal Sha S/o Late Baso Sah Resident of Village- Dehad, Ward
No. 06, P.S.- Sonbarsha Raj, District- Saharsa, Pin Code- 852129

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivpujan Sahay, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sonbarsha Raj P.S. Case No. 86 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 117(2), 118(1), 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons being armed with weapons assaulted by means of *sword* on the head of Dharendra Sah, due to which he received grievous injury. It is further alleged that when Rajesh Kumar and Akhilesh Kumar came to rescue, other co-accused persons assaulted them by means of *lathi/danda*.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that both the parties are neighbours and the occurrence took place on trivial issue. It is next submitted although there is specific allegation against the petitioner but the injury sustained by Dhirendra Sah is simple in nature caused by hard and blunt substance. The petitioner is in custody since 10.10.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused have been granted regular bail by a Co-ordinate Bench of this Court vide order dated 15.12.2025 passed in Cr. Misc. No. 84894 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsha Raj P.S. Case No. 86 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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