

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89077 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- KALYANPUR District- East Champaran

1. Sudama Sah @ Sudama Kumar Sah @ Sudama Kumar S/O Nathu Sah
Resident of village- Gariba, P.S.- Kalyanpur , District- East Champaran
2. Babuni Kumari Daughter of Nathu Sah Resident of village- Gariba, P.S.-
Kalyanpur , District- East Champaran
3. Nathu Sah Son of Dasai Sah Resident of village- Gariba, P.S.- Kalyanpur ,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-02-2026 Heard the learned counsel for the petitioners and
learned counsel for the State.

2. The application filed on behalf of petitioner no. 3 is
already been dismissed as withdrawn vide order dated
12.01.2026. So far as the present application survives only for
petitioner nos. 1 and 2.

3. The petitioners apprehend their arrest in connection
with Kalyanpur P.S. Case No. 162 of 2025, for offences under
Sections 127(2), 115(2), 118(1), 303(2), 76, 352, 351(2), 3(5) of
the B.N.S., 2023.

4. The prosecution case in brief is that petitioners are



alleged to have assaulted the informant's sister with iron rod upon her head. Petitioner no. 2 is alleged to have dragged the informant's daughter, namely, Anushka Kumari on the ground.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is case and counter case between the parties. Both the parties are agnates. There is no specific allegation of assault or overt act against these petitioners rather the allegation is general and omnibus in nature. The injury sustained by injured persons are found to be simple in nature. Petitioners have clean antecedent.

6. Learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the above facts and circumstances of the case and the fact that there is case and counter case between the parties and the injury is found to be simple in nature, this Court is inclined to grant privilege of anticipatory bail to the petitioner nos. 1 and 2.

8. Accordingly, let the petitioner nos. 1 and 2, namely, Sudama Sah @ Sudama Kumar Sah @ Sudama Kumar and Babuni Kumar, above-named, in the event of arrest or surrender within four weeks from today in the Court below, 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 learned Chief Judicial Magistrate, East Champaran at Motihari/concerned Court below, in connection with Kalyanpur P.S. Case No. 162 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the BNSS.

(Sandeep Kumar, J)

Ranjeet/-

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