

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88768 of 2025

Arising Out of PS. Case No.-118 Year-2025 Thana- RAJAON District- Banka

1. Mukesh Sah @ Mukesh Kumar Sah S/o Late Digambar Pd. Sah Resident of Village - Kotwali, Police Station - Nawada Bazar O.P, District - Banka
2. Upendra Sah S/o Late Mandal Sah Resident of Village - Kotwali, Police Station - Nawada Bazar O.P, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-01-2026 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rajoun (Nawada Bazar) Police Station Case No. 118 of 2025, disclosing offences under Sections 126(2), 115(2), 76, 308(3), 303(2), 110, 352 and 351(2) of B.N.S., 2023.

3. The prosecution case, as per the First Information Report, is that on 13.03.2025, at about 11:30 PM, the informant's brother received a call from Mahindra Finance Company and the caller told him to come near the Kotwali crossroads to pay the installment. The father of the informant went near the Kotwali crossroads with Rs. 10,000/-, however,



the financier was not met and when informant's father was returning back with money and reached near the house of the petitioners, the petitioner no. 1 stopped him and started demanding Rs. 5,000/- as expenses for Holi. When protested, he snatched Rs. 10,000/- from the pocket of the informant's father. It has further been alleged that all the family members of the petitioners, arrived and started demanding *rangdari* and assaulted the informant's family. It has further been alleged that petitioner no. 1 assaulted the father of the informant with iron-rod, due to which he sustained injury.

4. Learned Counsel for the petitioners submits that both the parties are co-villagers and the minor scuffle took place between them during the Holi festival. A counter case has been lodged by the side of the petitioners bearing Rajoun P.S. Case No. 119 of 2025 against the informant and others. Learned counsel further submits that though in the impugned order, it has been mentioned that informant's father had sustained injury on the vital part of the body but the nature of injury has not been described as grievous.

5. Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are co-villagers, case and counter case is there, the injury



has not been described as grievous in nature, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun (Nawada Bazar) Police Station Case No. 118 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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