

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90746 of 2025

Arising Out of PS. Case No.-437 Year-2024 Thana- HARSIDHI District- East Champaran

Naresh Shah @ Naresh Kumar S/o Vishwanath Sah @ Vishwanath Sha R/o
Village- Sevraha, P.O- Chandrahiya, Areraj, P.S- Harsidhi, Dist- East
Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Harsidhi P.S. Case No. 437 of 2024 registered for the
offences punishable under Sections 126, 115(2), 118, 109,
303(2), 351, 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on
08.08.2025 at about 8:00 AM, the petitioner along with other
co-accused allegedly abused the informant at his door, and on
protest, co-accused Vinod Sah assaulted him with a Farsa
causing a head injury. It is further alleged that the accused
persons forcibly entered the informant's house, looted cash of
Rs. 3 lakhs along with gold and silver ornaments worth Rs.



70,000/-, and also assaulted the informant's mother-in-law with a rod causing a fracture injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. From perusal of the FIR, it would reveal that there is no specific allegation against the petitioner, rather the same is general and omnibus in nature. Specific allegation is against co-accused, namely, Vinod Sah. There is delay of two days in lodging the FIR. Charge sheet has already been submitted in this case. Petitioner bears no criminal antecedent. Other co-accused have been granted regular bail by this Court vide order dated 17.02.2025, passed in Cr. Misc. No. 7629 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Harsidhi P.S.
Case No. 437 of 2024, subject to the conditions as laid down
under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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