

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13785 of 2026

Arising Out of PS. Case No.-185 Year-2025 Thana- PARBATTa District- Khagaria

1. Gita Devi Wife of Late Bhado Sah R/O Vill.- Kulhariya, P.s.- Parbatta, Dist.- Khagaria, Bihar.
2. Sikandar Sah Son of Late Manaki Sah R/O Vill.- Kulhariya, P.s.- Parbatta, Dist.- Khagaria, Bihar.
3. Dhamendar Kumar @ Dharmendra Kumar Son of Late Bhado Sah R/O Vill.- Kulhariya, P.s.- Parbatta, Dist.- Khagaria, Bihar.
4. Niwas Kumar Son of Late Bhado Sah R/O Vill.- Kulhariya, P.s.- Parbatta, Dist.- Khagaria, Bihar.
5. Vinod Sah @ Binod Sah Son of Late Bhado Sah R/O Vill.- Kulhariya, P.s.- Parbatta, Dist.- Khagaria, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Seema Kumari, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-06-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 185 of 2025 for the offence under sections 126(2), 115(2), 117(2), 118(1), 109(1), 352, 351(2), 303(2) and 3(5) of the BNS lodged on 28.05.2025 by the informant, Visheshwar Yadav.

3. As per the prosecution story, the informant alleged that on the land dispute, the accused resorted to assault. Allegation is that Subodh Sah and Bipin Sah gave iron rod blow to Arun Yadav repeatedly causing injury while Dharmendra Kumar and



Binod Kumar opened fire which however did not hit him and Geeta Devi took away Rs. 200/-. They were shifted to hospital which followed the FIR.

4. Learned counsel for the petitioners submit that a perusal of the FIR would show that specific allegation of assault is on Subodh Sah and Bipin Sah who are not before this Court. So far as Dharmendra Kumar and Binod Kumar are concerned, exaggerated FIR is there to show that they opened fire but it did not hit the informant and both Binod Kumar and Dharmendra Kumar have no criminal antecedent.

5. Learned APP opposes the prayer submitting that allegation of omnibus assault is against all of them.

6. Taking into account the submissions of the parties as also that main allegation is against Subodh Sah and Bipin Sah, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Khagaria in connection with Parbatta P.S. Case No. 185 of 2025 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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