

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1469 of 2026

Arising Out of PS. Case No.-248 Year-2025 Thana- PAKRIDAYAL District- East Champaran

1. Pappu Sah @ Pappu Kumar, Son of Late Shankar Sah @ Late Shankar Sah Bhagat Resident of Village- Dumarbana, Ward No.- 10, P.S.- Pakaridayal, Dist.- East Chamaparan.
2. Awadhesh Kumar, Son of Late Shankar Sah Bhagat @ Son of Late Shankar Sah @ Late Shankar Sah Resident of Village -Dumarbana, Ward no. - 10, P.S. - Pakaridayal, Dist. - East Chamaparan.
3. Kunti Devi, Wife of Late Shankar Sah @ Son of Late Shankar Sah @ Late Shankar Sah Bhagat Resident of Village -Dumarbana, Ward no. - 10, P.S. - Pakaridayal, Dist. - East Chamaparan.

... .. 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. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Pakaridayal P.S. Case No.248 of 2025 registered for the offences under Sections 126(2), 115(2), 109, 303(2), 125(a), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is that petitioner no. 2 had assaulted the informant with an iron rod, while petitioner no.1 had assaulted with knife upon the daughter of the informant and petitioner no.3 is said to have snatched



away gold mangalsutra.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and the injury report which has been brought on does not corroborate the allegations levelled in the FIR. It has further been submitted that from perusal of the injury report, it would be evident that the injuries were found to be simple and very superficial in nature. It has next been submitted that there is long-standing land dispute between the parties and on account of the same, some altercations have taken place and a false and concocted story has been cooked up only to implicate the petitioners in the present case, however, the offences under Section 109 of the Bharatiya Nyaya Sanhita, 2023, is not made out from a plain reading of the FIR. It has lastly been submitted that the petitioners carries clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bonds of Rs.10,000/-(ten thousand) each 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 Pakaridayal P.S. Case No.248 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.



8. It is made clear that the observation, if any, made in
this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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