

In the court of Manoj Kumar-V
District & Additional Sessions Judge-XI, Begusarai

A.B.A. No. 1226 of 2026

Lohiyanagar P.S. Case No. 70/2026

Sanjay Sah & Indal Sah vs State of Bihar

30.06.2026 – This anticipatory bail application has been filed on behalf of the petitioners, **1. Sanjay Sah & 2. Indal Sah** in Lohiyanagar P.S. Case No. 70/2026, registered u/s 126(2), 115(2), 117(2), 109, 191(2), 190, 74, 76, 351(2), 352 of B.N.S.

The case of prosecution case in brief as per the written application of the informant, Parvati Devi W/o Suresh Sah, stating there in that the land in Mauja- Panhas, Thana- 355, Khata- 47, Kheshra- 488, Rakba-0-3-10-0, which is khatiyani property, that has come to the informant's share, the said land was forcibly occupied and the construction of a house was started, on which the social people, ward councilor and people from both the sides took the decision not to construct the house yet. This land is in the share of Parvati Devi. On 10.05.2026, Shweta Kumari, W/o Sanjay Sah, called her at 10:30 A.M. She went there and before she could understand anything, she made her half naked and snatched Mangal Sutra and earring. She screamed loudly and everyone ran, then Sanjay Sah, Indal Sah, Rajeev Kumar and Shibu Sah all of them unanimously started beating her and tore her clothes and all of them together attacked her with bricks and stones in which Suresh Sah, Raj Kumar, Suraj Kumar, Ram Yatan Sah, Gaurav Kumar and Vinod Kumar were injured and Sandeep Sah and others attacked with deadly weapons. So this case.

The Ld. counsel for the petitioners submitted that the petitioners are quite innocent and have not committed any offence. Earlier no bail application on behalf of the petitioners has been filed or rejected earlier either by sessions judge or by Hon'ble High Court, Patna. The petitioners has no criminal antecedent. That the petitioner has falsely been implicated in this case by hatching a conspiracy in-conivance with local anti-social elements. That the above accused, applicants and the informant of the present case are neighbours and gotiyas. The ancestors of these people had already done oral partition of land among themselves on the basis of which these people are living in their respective rights and shares. That the above named petitioners were constructing a house on the land which was given to them by their ancestors. The informant of the present case and her other associates and all the family members, in collusion, formed an illegal gathering and tried to stop the construction work of the petitioners illegally. On protest, the informant of the case and other people

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beat up the applicants badly and threw them to the ground. The applicants were in Sadar Hospital, Begusarai for their treatment. Meanwhile, the informant of the case in collusion with the police got the present case registered. When the applicants came after treatment, a case was also registered against them vide Lohiyanagar P.S. Case No. 71/2026 u/s- 126(2), 115(2), 117(2), 109, 191(2), 190, 308(4), 351(2), 352 BNS. And to escape from this case, a new case was registered in retaliation to the case and the applicant was declared a liar. That the petitioners are named accused in the present case, hence there is a strong possibility of their arrest. That the petitioners are daily wage laborers who earn their livelihood and support their families by doing daily wages. Lastly, he prayed to enlarge the petitioners on anticipatory bail.

The Ld. A.P.P. has vehemently opposed the prayer of anticipatory bail.

Heard Ld. Counsel for both the sides and perused the record as well as case diary. On perusal of the same, it appears that the petitioners are named in the F.I.R. This is a matter of case and counter case as from the applicant's side, a case was also registered vide Lohiyanagar P.S. Case No. 71/2026 u/s- 126(2), 115(2), 117(2), 109, 191(2), 190, 308(4), 351(2), 352 BNS.. The allegation against the petitioners is of assaulting the informant and outraging her modesty and also assaulting her persons with bricks and stones along with other co-accused persons. The petitioners and the informant of the present case are neighbours and gotiyas and there is long standing land dispute between them. On perusal of the attached Case Diary, Witnesses at para 06, 07, 20 & 21 have supported the case of prosecution. Injury reports are available at para 60, 61, 62, 63, 64, 65, 66 & 67 of the CD in which the medical officer found that the injuries are of mix nature i.e, simple as well as grievous. Moreover, the informant didn't oppose the anticipatory bail application. Investigation is still in progress.

In the light of facts and circumstances discussed above, I am inclined to grant the privilege of anticipatory bail to the petitioners. Accordingly, their prayer is hereby **allowed**. The petitioners are directed to be released on anticipatory bail in event of their arrest or surrender within a fortnight from the date of receipt of this order on furnishing of bail bond of Rs. 10,000/- with

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two sureties of like amount each to the satisfaction of the Ld. Court below on following conditions:

1. One of the bailors should be close relative.
2. The petitioners shall file an undertaking to not to be indulged in offence of similar nature in future.
3. The petitioners shall remain physically present as per the direction of Ld. Lower Court.
4. The petitioners shall abide by as per s. 482(2) of B.N.S.S.

(Dict. & Corrected)

Sd/-

District & Addl. Sessions Judge-XI
Begusarai

Date of Order	30.06.2026
Date of Reserving Order	NA
Uploading Date	02.07.2026
Uploaded by	Shailesh Kumar

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