

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 10th April, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

B.A. No. 106/2026 (Arising out of Patarghat P.S. Case No. 155/2025)

Santosh Sah

..... Petitioner Vs State of Bihar

In the matter of :-

Santosh Sah S/o Sikandar Sah

Resident of Village Golma West, Ward NO. 13, P.S. Patarghat, District
Saharsa.

....Petitioner

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioner :- Sri Krishna Mohan Prasad, Adv

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	10.04.2026	This bail petition has been filed on behalf of the petitioner namely Santosh Sah S/o Sikandar Sah who is in custody since 08.12.2025 in connection with Patarghat P.S. Case No. 155/2025 registered under Sections 126(2), 115(2), 76, 109, 352, 351(2), 3(5) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioner and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner is in custody since 08.12.2025. It is further submitted that petitioner bears criminal antecedent of two cases and in both cases he is on bail. It is further submitted that petitioner is quite innocent and has committed no offence and he has falsely been implicated in this case due to grudge, malice and land dispute. It is further submitted that Sections 109, 76 of BNS, 2023 are added to make the case graver and non-bailable. It is further submitted that co-accused persons have been granted bail by the learned Predecessor in R.B.A. No. 12/2026 and R.B.A. No. 58/2026 vide orders dated 19.01.2026 and 07.02.2026 respectively. It is further submitted that petitioner is a man of means and there is no chance of his absconding or tampering with the evidence and he is ready to furnish sound sureties to the full satisfaction of	

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the court. Upon these grounds, the learned counsel prays to grant bail to the petitioner.

4. On the other hand, the learned P.P. assisted by learned counsel for the informant have vehemently opposed the prayer of bail.

5. Rival submissions considered, Record perused.

6. The prosecution case, in brief, as per the informant Mantosh Kumar is that on the occurrence is of 07.12.2025 at his field and he alongwith his wife went to their field then with prior meeting of minds his father Sikandar Sah, mother Parvati Devi, brother Santosh Sah, Bhabhi Indu Devi, Ramnarayan Yadav, Chankishore Sah and Janak Sah surrounded them and started assaulting them. The accused persons dragged his wife in the field due to which she became semi naked and assaulted her and Indu Devi and Santosh Sah with intention of killing assaulted on her head by spade due to which her head get lacerated and blood started oozing and she became unconscious and fell down on the ground. When he tried to escape then Pawan Yadav (tractor driver) apprehended him and assaulted him and threatened him of dire consequences.

7. The petitioner is in custody since 08.12.2025. The incident had occurred due to land dispute. The petitioner and the informant are family members. The injured Sarita Devi suffered lacerated wound on right side of hand 4 cm x 2 cm x 1 cm. The injured Mantosh Kumar suffered lacerated wound left middle finger of size 1.5 cm x 0.25 cm. The nature of injury is simple. The nature of injury of injured Sarita Devi is grievous. The Supplementary injury report of injured Sarita Devi shows that x-ray of right hand AP and lateral shows fracture at base of proximal phalanx. Fracture was also noted at first metacarpal bone and of radius. In NCCT of brain, fracture was

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seen in the nasal bone. The injured person had already been discharged from the Hospital. The co-accused persons Sikandar Sah, Parwati Devi and Indu Devi have granted bail by the learned Predecessor in R.B.A. No. 12/2026 and R.B.A. No. 58/2026 vide orders dated 19.01.2026 and 07.02.2026 respectively and the case of petitioner stands on similar footing.

8. Considering the totality of the facts and circumstances, a case to grant bail to the petitioner accused namely Santosh Sah is made out. Resultantly the prayer for bail is **allowed**. The petitioner be released on bail subject to his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned Magistrate where the case is presently pending further subject to the conditions as laid down under Section 480(3) of the BNSS.

(Dictated)


(Dinesh Sharma)
Principal Sessions Judge,
Saharsa
10.04.2026

Date of Judgement/Order	10.04.2026
Date of Reserving Judgement/Order	10.04.2026
Uploading Date	16-04-26
Uploaded by	Javed Haidar