

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA
Dated, Saharsa, the 26th March, 2026

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

A.B.P. No. 193/2026 (Arising out of Salkhua P.S. Case No. 199/2025)

Sashidev Sah & Another Petitioners Vs State of Bihar

In the matter of :-

(1) Sashidev Sah S/o Jagdish Sah
Resident of Village Goriyari, Ward No. 12, P.S. Salkhua,
District Saharsa.

(2) Badal Sah @ Badal Kumar S/o Ajit Sah
Resident of Village Baghi, P.S. Lohianagar, District Begusarai.

....Petitioners

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioners :- Sri Ranbir Jha, Advocate

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

Date of proceeding	Order with the signature of the court	Office action taken with date
26.03.2026	This anticipatory bail petition has been filed on behalf of the petitioners namely (1) Sashidev Sah S/o Jagdish Sah and (2) Badal Sah @ Badal Kumar S/o Ajit Sah who are apprehending their arrest in connection with Salkhua P.S. Case No. 199/2025 registered under Section 308(5) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioners and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioners that petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners bear criminal antecedent of two cases. It is further submitted that there is no specific allegation against the petitioners and there is no delivery of ransom. It is further submitted that petitioners are men of means and there is no chance of their absconding or tampering with the evidence in this case and they are ready to furnish sound sureties to the full satisfaction of the learned court. Upon these	

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grounds, the learned counsel prays to grant anticipatory bail to the petitioners.

4. On the other hand, the learned P.P. has opposed the prayer of anticipatory bail.

5. Rival submissions considered, Record perused.

6. The prosecution case as per *Fardbeyan* of the informant, Shyamal Yadav is that on 03.12.2025 he received a call from an unknown number i.e. 9122957928, he recognize the caller by his voice as Badal Sah @ Boss who is the brother in law of Shashidev Sah demanded a ransom of Rs. 10 Lakh. The accused also threatened to kill him if he did not pay the said money. He specified today's date, time and place for the ransom and asked him to personally deliver the money. It is further alleged that few months ago he was shot at the bullet hit at his back however with the grace of god he survived the attack. It is further alleged that prior to this threat, Badal Sah @ Boss had threatened to kill him from another mobile Number i.e. 8235473400 but he ingored. It is further alleged that for the past few days, Badal Sah @ Boss has been calling him repeatedly and threatened to extort money.

7. At the outset it be noted that the ransom money was not delivered/given by the informant to the accused persons, therefore the extortion is not complete. Therefore the appropriate section which is attracted in the case is Section 308(4) of BNS. As per the first schedule of BNS Section 308(4) is non-bailable. Hence the anticipatory bail application is maintainable. However, whether the petitioner is entitled for anticipatory bail or not is a different question.

8. The petitioners accused are named in FIR. In the FIR the informant has specifically mentioned that he has recognized the petitioner Badal Sah by his voice when the accused allegedly made a call to the informant to demand ransom amount. As per para 18 of the case diary, a trap was laid by the police to



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apprehend the petitioners however when a person came to take the bag of rupees, he was apprehended and allegedly the petitioner Badal Sah @ Boss alongwith his other associate tried to flee away however co-accused Suraj Kumar, Himanshu Kumar and Abhitesh Kumar was apprehended by the police. The apprehended persons disclosed to the police that they had come as per the instructions of the petitioner Badal Sah.

9. Be it noted at this stage that the confessional statement of the co-accused person while in police custody is not admissible in the evidence. However, the police can further investigate the case upon the clues provided by the co-accused persons while in the custody of the police. The petitioner Badal Sah is having criminal antecedent as per para 32 of the case diary.

10. Considering the totality of the facts and circumstances, this is not a fit case to grant anticipatory bail to petitioner Badal Sah. Resultantly the instant anticipatory bail application qua the petitioner namely Badal Sah is hereby **rejected**.

11. However except the bald allegation in the FIR that the petitioner Sashidev Sah had threatened the informant last year due to land dispute, there is nothing against the petitioner Sashidev Sah. Nothing from the case diary was brought into the notice of this court suggesting the involvement of the accused Sashidev Sah in the instant incident. On the material available on record the petitioner Sashidev Sah cannot be allowed to put behind the bars.

12. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner Sashidev Sah is **allowed** and in the event of arrest or surrender of the petitioner within a period of four weeks from today, he is directed to be released on bail subject to his furnishing bail bonds in the sum of



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Rs. 10,000/- (Ten Thousand) with two sureties in the like amount to the satisfaction of the learned jurisdictional Magistrate where the case is presently pending, further subject to the conditions as laid down u/s 482(2) of BNSS. The petitioner shall cooperate in trial.

13. With the above observation, the instant petition stands **partly allowed**.

(Dictated)

Dinesh Sharma
(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

26.03.2026

Date of Judgement/Order	26.03.2026
Date of Reserving Judgement/Order	26.03.2026
Uploading Date	01-04-26
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