

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 87944 of 2024**

Arising Out of PS. Case No.-235 Year-2024 Thana- KALYANPUR District- Samastipur

1. Hira Sahni S/o- Lal Babu Sahni Village- Chatarpur P.S-Kalyanpur, Dist-Samastipur
2. Sachin sahni S/o Vichendra Sahni R/o Village- Chatarpur, P.S.- Kalyanpur, Dist.- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                     |   |                                                            |
|---------------------|---|------------------------------------------------------------|
| For the Petitioners | : | Mr. Shubhesh Pandey, Advocate<br>Mr. Vinit Kumar, Advocate |
| For the State       | : | Mr. Parmanand Prasad, APP                                  |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      20-12-2024                      Heard Ld. counsel for the Petitioners and Ld. APP  
for the State.

2. The Petitioners seek anticipatory bail, apprehending their arrest, in connection with Kalyanpur Police Station Case No. 235 of 2024, 11.09.2024 registered for the offences punishable under Sections 126(2), 109, 115(2), 190 of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the allegation, the Petitioners alongwith other co-accused were doing air firing.

4. Learned counsel for the Petitioners submits that the Petitioners are innocent and have falsely been implicated in this case due to previous enmity. He further submits that similarly



situated co-accused has already been enlarged on bail by this vide order dated 04.12.2024 passed in Cr. Misc. No. 81741 of 2024.

5. It is also stated in paragraph no. 2 of the bail petition that the Petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the Petitioners have no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the Petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Samastipur in connection with Kalyanpur Police Station Case No. 235 of 2024, subject to the conditions as laid down under Section 438 (2) Cr. P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the Petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the Petitioners after hearing them and getting satisfied that the Petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the Petitioners.

**(Jitendra Kumar, J.)**

Chandan/  
Ravishankar-

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