

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6753 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

1. Awdhesh Sahni S/o- Chandrawali Sahni Village- Mothahan PS-Rampurhari District- Muzaffarpur
2. Mithilesh Sahni @ Mithlesh Sahni @ Mibhlesh Sahni S/o- Chandrawali Sahni Village- Mothahan PS-Rampurhari District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Rampurhari P.S. Case No. 153 of 2024 instituted for the offences under Sections 191(2), 191(3), 126(2), 115(2), 109, 74, 303(2), 352 of the BNS and 3/4 of the Daain Act.

3. The accusation against the accused persons including the petitioners is that they called the mother of the informant 'daain' and also assaulted her. When the informant along with his family members reached the spot, the accused persons also assaulted him and his family members. It is further alleged that one Mithilesh Sahani (petitioner no. 2) assaulted the



brother of the informant by means of iron rod on his forehead due to which he sustained injuries.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. The only specific allegation of assault is against petitioner no. 2 of assaulting the informant's brother by means of iron rod. It has been submitted on behalf of the petitioners that the petitioners are in custody since 30.09.2024 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel further submitted that the accused persons including the petitioners assaulted the informant and his family members as also there is specific allegation against the petitioner no.2 of assaulting the informant's brother as a result of which he sustained injuries that are grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, nature of injury and there being specific allegation of assault against the petitioner no.2, this Court is not inclined to



grant bail to the petitioner no.2.

7. So far as petitioner no. 1 is concerned, there is no specific allegation against him, and also taking into account the period of custody undergone by the petitioner no. 1, this Court is inclined to grant bail to the petitioner no. 1.

8. Accordingly, the prayer for grant of bail to the petitioner no.2 is, hereby, rejected.

9. Let the petitioner no. 1, namely, Awdhesh Sahni be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rampurhari P.S. Case No. 153 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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