

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6705 of 2025

Arising Out of PS. Case No.-169 Year-2024 Thana- KHANPURA District- Samastipur

1. Subodh Kumar Sahani @ Chotu Sahani S/o Ram Kumar Sahani R/o Village-Haripur Ghat, PS - Khanpur, Distt- Samastipur
2. Sudhir Kumar Sahani @ Sudhir Kumar S/o Ram Kumar Sahani R/o Village-Haripur Ghat, PS - Khanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-03-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Khanpur Police Station Case No. 169 of 2024, dated 11.08.2024, disclosing offences punishable under Sections 117(2)/118(2)/115(2)/109/126(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 09.08.2024, in the morning, while the informant was at his home and was having food, upon noise from the outside, the informant saw that the accused persons named in the First Information Report were assaulting the



informant's son, having iron rod, stick, in their hands. It has further been alleged that the petitioner no. 1 assaulted the informant's son on his shoulder and waist by means of iron rod and the petitioner no. 2 assaulted the son of the informant by means of musal, but the informant intervened and saved his son.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and both the parties are neighbours, having previous dispute. No injury has been caused to the informant's son, as would be evident from the impugned order, in which the learned 8th Additional Sessions Judge has discussed the injury caused to the informant, which is not attributable to the petitioners. The injury caused to the informant's son has not been brought on record by the prosecution, as would be evident from the impugned order itself. The petitioners are having no criminal antecedent.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are neighbours having previous dispute and it appears from the impugned order, in which injury



caused to the informant has been discussed, but injury caused to the informant’s son has not been brought on record by the prosecution, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur, in connection with Khanpur Police Station Case No. 169 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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