

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9930 of 2025

Arising Out of PS. Case No.-99 Year-2018 Thana- UJIYARPUR District- Samastipur

=====

Arun Sahni @ Arun Sahani S/O Upendra Sahani R/O Village- Chandauli,
Ward No. 7, P.S- Ujyarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

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

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 27-05-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with
Ujarpur P.S. Case No. 99 of 2018 lodged on 07.05.2018, for the
offence punishable under Sections 307, 323, 325, 34, 341, 504
& 506 of the Indian Penal Code and later on, section 302 of the
I.P.C. has been added.

3. The allegation in the First Information Report is
that four accused persons including the petitioner were digging
soil to construct the house which was objected to by the
informant and on the order of accused Upendra Sahni to beat
them, co-accused Raja Kumar Sahni, Shyam Kumar Sahni and
Arun Sahni who is the present petitioner, brutally assaulted the
informant's wife due to which, she sustained injury on her head



and she became unconscious. Subsequently, she was taken to the hospital from where, she was referred to a higher centre, but unfortunately, she died.

4. Learned counsel for the petitioner submits that there are general and omnibus allegations against all the accused persons including the present petitioner and the FIR has been lodged after a delay of one week from the date of occurrence. As a matter of fact, the informant's wife namely, Maheshwari Devi had died on account of a train accident and she was treated during the course of treatment at PMCH. The post-mortem report of the deceased has also been brought on record by way of Annexure-3 to the present petition which is indicative of the fact that the death has been caused due to train accident. It has further been pointed out by the learned counsel for the petitioner that on exactly similar allegation, co-accused Shyam Kumar Sahni who has also been named in the FIR along with the petitioner, has been granted bail by the Co-ordinate Bench of this Court *vide* order dated 10.01.2019 passed in Cr. Misc. No.70710 of 2018 which has been annexed as Annexure-4 to the present application, wherein, the post-mortem report had been taken into consideration.

5. Learned counsel for the informant opposes the



prayer for bail of the petitioner on the ground that there is a delay in approaching the court for bail.

6. In response thereof, it has been submitted that the petitioner had approached the court for grant of anticipatory bail, but however, owing to the Covid-2019 breakout, the petitioner could not surrender earlier and petitioner is now in custody since 09.01.2025 with no criminal antecedent and charge-sheet has already been submitted.

7. Learned APP for the State opposes the prayer for bail of the petitioner.

8. Taking into consideration the present facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge, Dalsingsarai, Samastipur, in connection with Ujiarpur P.S. Case No. 99 of 2018.

(Soni Shrivastava, J)

Divyansh/-

U		T	
---	--	---	--

