

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13010 of 2025

Arising Out of PS. Case No.-347 Year-2023 Thana- MAHUA District- Vaishali

Indal Sahni Son of Late Kishun Sahni Resident of Village- Aababakarpur, PS-
Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. SRP Baxi Sinha, Sr. Adv
	:	Mr. Shanti Bhushan Singh, Adv
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 28-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Mahua P.S. Case No. 347 of 2023 registered for the offences under Sections 341, 323, 324, 325, 307, 354, 302, 504, 506 and 34 of the IPC.

3. The petitioner is named in the F.I.R. and is in custody since 08.12.2024.

4. The allegation against the petitioner is to assault the father of informant along with other named co-accused persons and also brother of the informant with iron rod and *lathi* during the course of occurrence which alleged to be taken place out of land dispute between the parties.

5. Learned senior counsel appearing on behalf of the petitioner submitted that present occurrence took place due to land



dispute and was free fight in nature, where both parties received injuries and, therefore, for the same set of occurrence FIR was also lodged from petitioner's side which was registered as Mahua P.S. Case No. 354 of 2023. It is submitted that allegation *qua* fatal assault is available against Sachin Kumar, whereas injury out of assault as alleged to be caused by this petitioner to brother of the informant by iron rod, cannot be taken trustworthy in want of injury report as same, not appears available on record suggesting that allegation is prima-facie false on its face. It is also submitted that similarly situated co-accused namely Ajay Kumar has already granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 65011 of 2023 dated 18.10.2023. While concluding the argument it is submitted that, petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as allegation of fatal assault to father of the informant is not available against this petitioner, where injury report of the brother of the informant is not available on record, coupled with



the fact as petitioner remains in custody since 08.12.2024, accordingly above named petitioner, is directed to be released on bail in connection with Mahua P.S. Case No. 347 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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