

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17825 of 2025

Arising Out of PS. Case No.-1642 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

1. Raj Kumar @ Raja Sahni Son of Late Jugeshwar Sahni Resident of Village- Vijay Chhapra, P.S.- Ahiyapur, Distt.- Muzaffarpur
2. Lal Babu Sahni Son of Late Jugeshwar Sahni Resident of Village- Vijay Chhapra, P.S.- Ahiyapur, Distt.- Muzaffarpur
3. Sujeet Sahni Son of Late Ramchandra Sahni Resident of Village- Vijay Chhapra, P.S.- Ahiyapur, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Pratyush Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Hari Kishore Thakur, learned counsel for the petitioners, Mr. Pratyush Pratap Singh, learned counsel appearing on behalf of the informant as well as Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ahiyapur P.S. Case No. 1642 of 2024, F.I.R. dated 04.12.2024 for the offences punishable under Sections 191(2), 191(3), 190, 329(3), 115(2) and 109 of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, when the informant protested against the accused persons because they were



capturing the land of the informant then all the accused persons including these petitioners armed with weapon have threatened him for dire consequences and fired upon him.

4. Learned counsel for the petitioners submits that petitioner no. 3 has clean antecedent and petitioner nos. 1 & 2 carries one criminal antecedent other than the present one and they have falsely been implicated in the present case. He further submits that the petitioners are named in the F.I.R but the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R and no such occurrence has taken place. He further submits that as per the allegation in the F.I.R, some of the petitioners have fired upon the informant but the informant has not received any injury and even no empty cartridge was found at the place of occurrence.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioners on the ground that petitioner nos. 1 & 2 carries one criminal antecedent other than the present one but they are on bail in the said pending case and petitioner no. 3 has clean antecedent.

6. Considering the aforesaid facts and circumstances,



let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 1642 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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