

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19524 of 2025

Arising Out of PS. Case No.-489 Year-2024 Thana- MADHUBAN District- East Champaran

1. JAGU SAHANI S/o- Satyanarayan Sahani Village- Manpurwa Ps- Madhuban Dist- East Champaran
2. Bigu Sahani S/o- Satyanarayan Sahani Village- Manpurwa Ps- Madhuban Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. Petitioners are in custody in a case registered for an offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 76 of the B.N.S, 2023.

3. As per the prosecution story, on 07.11.2024 petitioners along with other co-accused persons went to the house of the informant and assaulted him by means of *farsa*, *lathi* and *danda* on different part of his body after which he became unconscious. Thereafter, when informant's family member came there then accused persons assaulted them also and it is also alleged that ladies member of the accused person's side also assaulted the wife of the informant with leg and fist.



4. Learned counsel for the petitioners submits that petitioner are innocent and they have falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. Petitioners are in custody since 15.12.2024. He further submits that petitioners have got only one criminal antecedent as stated in para-3 of the bail petition. He further submits that from perusal of the impugned order it appears that mostly injuries that are sustained by the injured persons are simple in nature except one injury sustained by informant, Rambhu Sahani, who sustained pain and swelling on left foot (displaced at base 2nd and 3rd metatarsal bone) and lacerated wound on left leg which is grievous in nature, headache and bodyache which is simple in nature. He further submits that further injuries sustained by injured Bablu Kumar, Anjali Devi and Kuldip Sahani are found to be simple in nature which are caused by hard and blunt substance and no sharp wound has been found on the vital part of the body of the injured.

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

6. Considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioner as well as the fact that it appears from the impugned order that all injuries found on the body of all the injured persons are simple in nature except one injury found on the body of the informant, namely, Rambhu Sahani and no injury has been found on the vital part of the



body of the injured persons and there is no specific allegation against the petitioners rather there is general and omnibus allegation against them, let the above named petitioners be released on bail, on their furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, District-East Champaran in connection with Madhuban P.S. Case No.489 of 2024.

(Ramesh Chand Malviya, J)

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