

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21119 of 2025

Arising Out of PS. Case No.-387 Year-2024 Thana- PANAPUR District- Saran

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1. Saraswati Devi W/o Sudama Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 2. Sudama Sahni S/o Basgit Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 3. Chhathu Sahni S/o Basgit Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 4. Ranjan Kumar Sahni @ Ranjan Sahni S/o Basgit Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 5. Vicky Sahni S/o Basgit Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 6. Nitesh Sahni S/o Basgit Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran
 7. Shambhu Sahni S/o Deepa Sahni Resident of village -Rasauli Bind Toli, P.S.- Panapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mili Kumari
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-04-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Panapur Police Station Case No. 387 of 2024, disclosing offences under Sections 126(2), 115, 118(1), 109, 352, 351(2), 3(5) of the BNS, 2023.
3. As per the prosecution case, on 18.12.2024, at



about 4 p.m. while the informant was sitting at her home, petitioners along with other accused persons named in the FIR arrived there having lathi, iron rod, dab in their hands, started abusing, entered into her house, and when the informant raised alarm, father-in-law of the informant, namely Ramnath Sahani, came out and petitioner no. 5, namely Vicky Sahani, assaulted him with iron rod on his head, and when the informant's husband intervened, Nitesh Sahani i.e., petitioner no. 6, assaulted him by means of rod on his head. It has further been alleged that the petitioner no. 1 snatched Mangalsutra of the informant.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offense in the manner alleged. The occurrence has taken place due to quarrel between the children. The grand-daughter of the informant and the son of prosecution side, both are studying in the same school, and there was some quarrel between the children for which complaint was made by the side of the prosecution, and subsequently, the prosecution side arrived in the evening, assaulted side of the petitioners for which Panapur P.S. case no. 385 of 2024 has been lodged by the side of the petitioners. Subsequently, the present FIR has been lodged as a counter-blast. There is general and



omnibus allegation against the petitioners except petitioner no. 5 and 6. It has further been alleged that petitioner no. 5 assaulted the father-in-law of the informant namely Ramnath Sahani on his head, but the opinion of the doctor regarding the injury has been kept reserved. Petitioner no. 6 has allegedly assaulted the husband of the informant namely Shri Bhagwan Sahani, and his injury is simple in nature as would be evident from Annexure P/3 Series.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is no specific allegation of assault against petitioner no. 1, 2, 3, 4 and 7, and the injuries caused to the informant's husband namely Bhagwan Sahani which is attributable to petitioner no. 6 are simple in nature. Accordingly, I am inclined to grant privilege of anticipatory bail to petitioner nos. 1, 2, 3, 4, 6 and 7.

6. Considering the fact that there is a specific allegation against petitioner no. 5 who assaulted the father-in-law of the informant namely Ramnath Sahani, and from perusal of the impugned order it appears that the nature of injury is 6 inch x 1 centimeter on the head, I am not inclined to grant the privilege of anticipatory bail to petitioner no. 5, accordingly, petitioner no. 5's prayer for bail is rejected.



7. This application is, accordingly, partly allowed to the extent indicated above.

8. Let the petitioner nos. 1, 2, 3, 4, 6, 7, above named, in the event of their arrest or surrender before the Court below within four weeks, 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, Saran at Chapra, in connection with Panapur Police Station Case No. 387 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

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