

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21705 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Umesh Sahani @ Umesh sahani S/o Chandrawali Sahani @ Chandrawati
Sahni R/o Village- Mothahan, P.S.- Rampur Hari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with Rampur Hari P.S. Case No. 153 of 2024 instituted for the offences under Sections 191(2), 191(3), 126(2), 115(2), 109, 74, 303(2), 352 of the Bhartiya Nyaya Sanhita, 2023 and Section 3/4 of the Prevention of Dowry Practices Act, 1999.

3. As per prosecution case, the accusation against the accused persons including the petitioner is calling the Informant's mother as "*daain*" and also assaulted her. When the Informant along with his family members reached at the place of occurrence, the accused persons also assaulted him and his family members. It is further alleged that the co-accused



Mithilesh Sahani assaulted the brother of the Informant namely Ram Vinay Sahani by means of iron rod on his forehead due to which he sustained injuries. It is also alleged that the accused Umesh Sahni (petitioner) has assaulted twice with iron rod upon the head of the Informant due to which he sustained severe head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are co-villagers. There is a case and counter case between the parties. The brother of the petitioner has filed case bearing Rampur Hari P.S. Case No. 154 of 2024 against the Informant, the injured and others. Learned counsel for the petitioner submits that as per allegation, the petitioner has assaulted the Informant with iron rod causing injury on his head but, from the injury report, it appears that the doctor has found two lacerated wound on the person of the Informant which is simple in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 21.12.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused persons Awdhesh Sahni and Mithilesh



Sahni @ Mithelesh Sahni have already been granted bail by this Court vide order dated 15.02.2025 passed in Cr. Misc. No. 6753 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct allegation of assault against the petitioner. The offence alleged is serious in nature and, hence, he does not deserve bail.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rampur Hari P.S. Case No. 153 of 2024.

(Rudra Prakash Mishra, J)

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