

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23569 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- BELDOUR District- Khagaria

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1. Shri Sahni S/o Late Sitavi Sahni R/o Village- Thalha, Ward No. 8, P.S.- Beldaur, District- Khagaria, (Bihar)
 2. Panchu Sahni S/o Shri Sahni R/o Village- Thalha, Ward No. 8, P.S.- Beldaur, District- Khagaria, (Bihar)
 3. Ruko Devi Wife of Shri Sahni R/o Village- Thalha, Ward No. 8, P.S.- Beldaur, District- Khagaria, (Bihar)
 4. Fulo Devi W/o Panchu Sahni R/o Village- Thalha, Ward No. 8, P.S.- Beldaur, District- Khagaria, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Seema Kumari, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending arrest in connection with Beldaur P.S. Case No. 241 of 2024 G.R. No. 2895 of 2024, dated 04.07.2024, lodged under Sections 126(2), 115(2), 118(1), 109, 76, 352, 351(2), 351(3), 303(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against five named and one unknown accused person, including the present petitioners, alleging that the accused persons attacked



the informant's son due to which injuries were caused. In addition to that, there is also an allegation of snatching a gold coin (gold chakti). A further allegation has been made that all the accused persons assaulted the informant, as well as her husband and son-in-law.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that the entire case is false and fabricated. Upon minute reading of the FIR, two things are very clear. Firstly, that the daughter-in-law has lodged the case against her father-in-law and other family members. Secondly, it is even more surprising that an allegation has been made against the grandfather for assaulting his grandson. Counsel further submits that in the first part of the FIR, the informant has categorically made allegations against the accused persons for assaulting her son, Rakesh Kumar, however, later in the FIR, she states that upon receiving information about the assault, she reached the place of occurrence and found her son injured. Counsel furthers submits that meaning thereby none of the occurrence in which direct allegation has been made against the present petitioner has seen by the informant,, as in the FIR she has disclosed that she has reached the place of occurrence later



on. The FIR also indicates that there is an ongoing land dispute among the families. Counsel also submits that the petitioners have no criminal antecedents and the petitioners are ready to fulfill all the conditions whatsoever shall be imposed.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are specific allegations against the petitioners, however, from the FIR, it transpires that the said allegations are based on hearsay evidence.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate Ist Class, Khagaria, in connection with Beldaur P.S. Case No. 241 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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