

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26516 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Ramashish Sahni S/o Late Achhe Sahni R/o Village- Saramohanpur, P.S.-
Sadar, District- Darbhanga
 2. Santosh Sahni S/o Ramashish Sahni R/o Village- Saramohanpur, P.S.- Sadar,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Girish Chandra Jha, Advocate
For the State	:	Ms. Anita Kumari, APP
For the Informant	:	Mr. Kedar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-07-2025 Heard Mr. Girish Chandra Jha, learned counsel for
the petitioners, Mr. Kedar Jha, learned counsel for the informant
as well as Ms. Anita Kumari, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Sadar P.S. Case No. 28 of 2025, F.I.R. dated
03.02.2025 for the offences punishable under Sections 126(2),
115(2), 110, 351(2), 352, 3(5) of the BNS.

3. According to prosecution case, all the FIR named
accused persons including the petitioners armed with lathi,
danda, iron rod etc. are said to have assaulted the informant and
his family members.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that 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. Although, the petitioners are named in the FIR, but from a bare perusal of the FIR, it appears that the FIR is in two parts. In first part, there is general and omnibus allegation against all the accused persons including the petitioners and in the second part there is specific allegation of assault attributed against co-accused, namely, Ashok Sahni @ Ashok Kumar that he has assaulted the informant. The informant has received injury and his injury report suggests that the injury is grievous in nature. It is fairly submitted that the prayer for anticipatory bail of the co-accused namely, Ashok Sahni @ Ashok Kumar @ Ashok Sahani has been rejected by this Court vide order dated 18.06.2025 passed in Cr. Misc. No. 37797 of 2025. It is further submitted that co-accused, namely Pinku Sahni @ Pinku Kumar @ Pinku Sahani has been granted privilege of anticipatory bail by this Court vide order dated 18.06.2025 passed in Cr. Misc. No. 37797 of 2025.

5. The learned Additional Public Prosecutor for the



State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, the clean antecedent of the petitioners, there is no specific allegation of any assault or overt act attributed against the petitioners and similarly situated co-accused person, namely, Pinku Sahni @ Pinku Kumar @ Pinku Sahani has been granted privilege of anticipatory bail by this Court, let the petitioners, above named, in the event of their 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 C.J.M., Darbhanga in connection with Sadar P.S. Case No. 28 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 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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