

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27525 of 2025

Arising Out of PS. Case No.-296 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Mahandra Sahni @ Mahendra Sahni @ Mahindra Sahni S/O Patiram Sahni
R/O Vill- Banarjhula Bhagwanpur, P.S.- Pakididayal, Dist- East Chamaparan.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari
For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 25-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 447, 302, 323, 325, 504, 506 of the Indian Penal Code.

3. As many as 10 persons have been named in the FIR and there is an allegation that they all came variously armed with *lathi danda*, etc. and assaulted the brother of the informant who became very seriously injured whereafter he was taken for treatment and he died during course of his treatment at PMCH.

4. Learned counsel for the petitioner submits that it would be apparent from the first information report itself that there is a general and omnibus allegation on 10 accused persons and there is specific land dispute with co-accused Rijhan Sahni. The FIR has been lodged after a substantial and



unexplained delay of about nine days as the occurrence is said to have taken place on 19.12.2023 while the present FIR was lodged on 28.12.2023 after the death of the deceased on 26.12.2023. It is also indicated that FIR also makes a reference to Section 144 Cr.PC. proceedings. It is next submitted that both the inquest report as also the postmortem report indicate that no external injury could be seen or detected on the dead body of the deceased. It is submitted that the medical evidence thus does not fully corroborate the oral allegation of assault by as many as 10 persons. The petitioner has no criminal antecedent, is in custody since 26.09.2024 and other similarly situated co-accused persons have been granted bail vide order dated 27.06.2025 passed in Cr. Misc. No. 90231 of 2024 and two others have been granted anticipatory bail vide orders dated 23.06.2025 passed in Cr. Misc. No. 85247 of 2024.

5. Learned APP for the State, however, opposes the prayer for bail.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor



Court in connection with Pakaridayal P.S. Case No.296 of 2023, subject to the condition that petitioner would cooperate in the trial and would remain physically present in the learned Court below on each and every date during trial till the charges are framed in the case and in case of non-appearance on two consecutive dates, the learned court concerned would be at liberty to cancel the bail bonds.

(Soni Shrivastava, J)

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