

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29167 of 2025

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

Mithilesh Sahni S/o Chandrawali Sahni R/o Village- Mothahan, P.S.-
Rampurhari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Adv.

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

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

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rampurhari 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 B.N.S. and Section 3/4 of the Diyan Act.

3. As per prosecution case, the accusation against the accused persons including the petitioner is that they called the mother of the informant 'daain' and also assaulted her. When the informant along with his family members reached the spot, the accused persons also assaulted him and his family members. It is further alleged that the petitioner Mithilesh Sahani assaulted the brother of the informant by means of iron rod on his



forehead due to which he sustained injuries.

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 due to dirty village politics. Both the parties are co-villagers. There is a case and counter case between the parties. The counter case was filed by Awdhesh Sahani against four (4) named accused persons including the Informant being Rampurhari P.S. Case No. 154 of 2024. The charge-sheet has been submitted in this case. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.09.2024 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused namely Umesh Sahani @ Umesh Sahni has been granted bail by this Court vide order dated 04.04.2025 passed in Cr. Misc. No. 21705 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that there is specific allegation against the petitioner of assaulting the informant's brother by means of iron rod. The offence alleged is serious in nature and, hence, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, 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 Rampurhari P.S. Case No. 153 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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