

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30028 of 2025

Arising Out of PS. Case No.-350 Year-2024 Thana- JANDAHA District- Vaishali

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1. Bindu Sahani S/o- Fakira Sahani, Resident of Village- Dih Buchauli PS- Jandaha (Mahisor) Dist- Vaishali
 2. Mithelesh Sahani S/o- Bindu Sahani, Resident of Village- Dih Buchauli PS- Jandaha (Mahisor) Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Adv.
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-08-2025 Heard learned Advocate for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jandaha (Mahisor) P.S. Case No.350 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 324(4), 352, 351(2) and 3(5) of the BNS, 2023.

3. On the fateful day, while the informant along with her husband were going to PDS shop, in the meanwhile, the petitioners along with others armed with lathi, danda and iron rod, intercepted them and started abusing. Petitioner no.1 asked the husband of the informant as to why did he lay off his son from the job; whereupon the informant's husband said that since



his son was found involved in embezzlement of fund that is why he laid off. On being enraged, petitioner no.1 assaulted the informant's husband by means of iron rod due to which he sustained serious injuries on his head and hand whereas petitioner no.2 snatched Rs.3000/- from his pocket. The accused persons also tried to outrage the modesty of the informant, apart from threatening.

4. Learned counsel for the petitioners contended that the alleged occurrence took place on 02.10.2024; however, the FIR came to be instituted after delay of two days. The genesis of the occurrence was a demand by the petitioners for their remuneration of certain work and thereupon some scuffle took place. He further contended that petitioner no.2 is physically handicapped and cannot stand without the help of others. To support the aforesaid contention, disability certificate has been placed on record as Annexure-2 to the bail application. It is lastly contended that be that as it may, the alleged injuries are found to be simple in nature.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that apart from one criminal antecedent against each of the petitioners, they have actively participated and brutally assaulted the husband of the



informant.

6. Having regard to the submissions set forth by the learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with the simple nature of injury and the genesis of occurrence, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection Jandaha (Mahisor) P.S. Case No.350 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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