

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47906 of 2025

Arising Out of PS. Case No.-477 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. Dharmendra Kumar Sahani @ Bhola Sahani @ Dharmendra Sahani S/o Yado Lal Sahani @ Jado Lal Sahani Village- Raghunathpur, Ward No 4, PS- Raghunathpur, Distt- East Champaran at Motihari
 2. Anita Devi Wife of Dharmendra Kumar Sahani @ Bhola Sahani @ Dharmendra Sahani Village- Raghunathpur, Ward No 4, PS- Raghunathpur, Distt- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Sessions Trial No. 77 of 2025 arising out of Turkauliya (Raghunathpur) P.S. Case No. 477 of 2020 registered for the alleged offences under Sections 341, 323, 324, 504, 506, 307, 302, 34 of the Indian Penal Code.

03. As per prosecution case, in the background of land dispute, the petitioners and other co-accused persons assaulted the husband of the informant, her brothers-in-law and also other family members by knife, *gupti* and *dabiya*. The victims



received various injuries and husband of the informant subsequently succumbed to his injuries.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegation of assault against the deceased is specific against co-accused Jitendra Sahani, who is said to have given a number of knife blows to the deceased. The only allegation against the petitioner-Dharmendra Kumar Sahani is that he gave *gupti* blow to the brother-in-law of the informant but the injury report of brother-in-law of the informant shows an abrasion on left arm and incised wound of size 1"x ½"x muscle deep over back hip region. There is general and omnibus allegation of assault against petitioner no. 2 and other female members of the family of the petitioner no. 1. Learned counsel further submits that the petitioners are not the assailants of husband of the informant and author of his injuries is said to be the co-accused. The petitioners have subsequently been arraigned on account of their relationship with co-accused Jitendra Sahani in the backdrop of land dispute. The petitioners are having clean antecedent and they are in custody since 04.01.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission



made on behalf of the petitioners. Learned APP submits that there is assault made by the petitioners and other co-accused persons in which husband of the informant lost his life and other persons received a number of injuries.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are not stated to be the authors of the injuries sustained by the deceased and further considering the nature of injuries of their victims and also considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XX, East Champaran at Motihari in connection with Session Trial No. 77 of 2025 arising out of Turkauliya (Raghunathpur) P.S. Case No. 477 of 2020, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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