

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37797 of 2025

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

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1. Pinku Sahni @ Pinku Kumar@ Pinku Sahani S/O Ramashish Sahani R/O Vill. - Saramohanpur, P.s.-Sadar, Dist.- Darbhanga
 2. Ashok Sahni @ Ashok Kumar @ Ashok Sahani S/O Ramashish Sahni R/O Vill. - Saramohanpur, P.s.-Sadar, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-06-2025 Heard Mr. Girish Chandra Jha, learned counsel for the petitioners as well as Mr. Ashok Kumar Singh, 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 B.N.S., 2023.

3. According to prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members with lathi, danda, iron rod, etc.

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 it appears from the FIR that FIR is in two parts. In first part, there is general and omnibus allegation against all the accused persons including the petitioners and in second part, there is specific allegation of assault against petitioner no. 2, namely, Ashok Sahni @ Ashok Kumar @ Ashok Sahani.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that there is specific and direct allegation against petitioner no. 2 that he has assaulted the informant and he has received four injuries and all injuries are grievous in nature.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner no. 2., namely, Ashok Sahni @ Ashok Kumar @ Ashok Sahani.

7. Prayer for grant of anticipatory bail of petitioner no. 2 is rejected.

8. So far as petitioner no. 1, namely, Pinku Sahni @ Pinku Kumar @ Pinku Sahani is concerned, there is no specific allegation against petitioner no. 1 rather there is genral and omnibus allegation against him, let the petitioner no.1, above



named, in the event of 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) 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. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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